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The CHRONICLES *of* OKLAHOMA

Spring, 1970



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UNITED STATES DRAGOONS

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COVER: The print in color on the front cover shows the United States Dragoons, organized in 1834 as a new military branch of the army. For a history of the Dragoons see this issue of *The Chronicles*, "Dragoon Life in the Indian Territory, 1836-1846," by Carl L. Davis and LeRoy H. Fischer. In this color print, the mounted trooper is in campaign uniform and holds a Hall breech-loading carbine. The dismounted trooper is in full dress. (Credit is due the Company of Military Historians for the use of this print.)

DRAGOON LIFE IN INDIAN TERRITORY, 1833-1846

*By Carl L. Davis and LeRoy H. Fischer**

It was a cold December day in 1833 when the column of tired horsemen first sighted Fort Gibson on the east bank of the Grand River. The sight was not impressive to the newly enlisted soldiers. The fort looked like anything except the most important post on the Indian frontier. It appeared to be exactly what it was, an ill-kept, uncomfortable, and undermanned frontier garrison at the edge of the Indian country. The troopers soon learned that even this shabby outpost of American military power had neither space nor quarters for them, and that they would have to establish a camp close by on the river. Tired and without rest, the horse soldiers set about the task of preparing shelter for themselves and their sadly depleted animals. They were the First Regiment of United States Dragoons, sent to do what Washington deemed that the infantry could not: provide the mobility to police the frontier and show the flag in the vast and sprawling American West.

The far-flung nature of the American Indian frontier of the 1830's demanded a departure from the heretofore established military policy. It became clear that infantry, with its limited mobility and range, was no longer sufficient to control the frontier, protect settlers and the Indian wards of the government, and protect the growing trade beyond the settlement line. In late 1831, Senator Thomas Hart Benton of Missouri had introduced his "Mounted Infantry Bill" in Congress and it had become law the following June. This bill created a battalion of six companies to be known as "The United States Mounted Rangers," made up of one-year volunteers who furnished their own arms and mounts. In return, the Rangers were to receive compensation of a dollar a day from the government.¹

Despite Ranger proof of the feasibility of a swift, mounted force, Congress was not altogether satisfied with these "irregulars."

* Carl L. Davis is an Assistant Professor of History at Stephen F. Austin University and a candidate for the Doctor of Philosophy degree in history at Oklahoma State University. LeRoy H. Fischer is a Professor of History at Oklahoma State University. The preparation of this article was aided by a grant from the Research Foundation of Oklahoma State University; this assistance is deeply appreciated and gratefully acknowledged by the authors.

¹ A. G. Brackett, *History of the U. S. Cavalry from the Formation of the Government to the 1st of June, 1863* (New York, 1865), p. 34.



(Library of Congress)

STEPHEN W. KEARNY

The first executive officer of the First Dragoon Regiment in Indian Territory,
and its iron disciplinarian.

They were not subject to regular military discipline, and they were, some congressmen complained, too expensive to maintain. For these reasons, augmented by pressure of the old cavalryman Richard Mentor Johnson and his small but determined group of congressmen who had for some time favored the creation of a regular mounted force, Congress passed a bill which President Andrew Jackson signed in March of 1833, creating the First Regiment of United States Dragoons.²

This was to be a large regiment of over 1,800 officers and men, splendidly mounted, uniformed and equipped.³ It soon became clear that this unit was to be the showcase of the army — an elite regiment. Its headquarters were to be at Jefferson Barracks, Missouri, which at the time was considered the main mustering area for units moving to the frontier. Colonel Henry Dodge, a splendid old soldier with the habits, manners and tastes of a frontiersman, and an excellent reputation, became the regimental commander. Dodge, however, was known for being somewhat lax in discipline; perhaps for this reason, Lieutenant Colonel Stephens Watts Kearny, a strict disciplinarian, was made second-in-command.⁴

Enlistment for the new regiment moved apace, and instructions to the officers on recruiting duty revealed clearly the elite nature of the Dragoons. Kearny was told to enroll only “healthy, respectable men, native citizens not under twenty and not over thirty-five years of age, whose size, figure and early pursuits may best qualify them for mounted soldiers.” This select regiment was to be national in scope, with its companies drawn from all areas of the country — and sectionally balanced. Congress wanted no accusation of favoritism.⁵

The men who filled the officers’ rolls of the regiment are striking, not only because many of them, such as Edwin V. Sumner, Jefferson Davis, Philip St. George Cooke, and Kearny, would later be famous, but also because many of them represented a type. They were, socially speaking, gentlemen, men who had long objected to walking to battle with their men. They were men who

² Louis Pelzer, *Marches of the Dragoons in the Mississippi Valley* (Iowa City, 1917), p. 13; *United States Statutes at Large*, Vol. IV, p. 652.

³ Otis E. Young, Jr., *The West of Philip St. George Cooke* (New York, 1955), pp. 67-68.

⁴ Louis Pelzer, *Henry Dodge* (Iowa City, 1911), p. 83; Dwight L. Clarke, *Stephen Watts Kearny: Soldier of the West* (New York, 1961), p. 56; Pelzer, *Marches of the Dragoons*, p. 13; Brackett, *History of the U. S. Cavalry*, p. 35.

⁵ Clarke, *Kearny*, p. 56.



(Brady Collection, Library of Congress)

PHILIP St. GEORGE COOKE

A later photograph of the adventurous Virginia aristocrat who as a young man was an officer with the Dragoons in Indian Territory and became a frontiersman in uniform.

wanted to be mounted for social and psychological reasons as well as military. Appointment as an officer of dragoons was sought for its prestige. In the army it was a mark of social distinction.

The exclusive nature of the Dragoons could be seen in their uniforms and equipment, much of which had more pomp than practicality. Their uniforms were dignified, but uncomfortable and difficult to maintain. The jacket was a dark blue, with elaborate cuffs and a light yellow collar embossed at the edges with gold lace. The front of the jacket was studded with twenty gilded buttons distributed in two vertical rows. The trousers were a grayish blue with two broad double stripes down each of the outside seams. In addition, the trousers and jacket were of heavy wool and worn unusually tight. The cap was also elaborate with silver, gilt, and gold braid, topped by a white horsehair plume. The boots were the only concession to comfort, being low cut of a Wellington style, to which brass spurs were attached. Around the Dragoon's waist was an orange sash over which was buckled the sword belt. The undress uniform made only slight concessions to simplicity and none to comfort. To add to the impression of smartness created by the uniforms, the horses of each company were carefully matched in color and size.⁶

The Dragoons were to be equipped with what were considered the best arms available. The sabre was a heavy, broad-bladed affair topped by a basket hilt to give maximum protection to the hand and also to reduce the chances of dropping it in combat. The carbine was of the most advanced type, a breech-loading caplock Hall, the block of which tipped backwards, exposing the front of the chamber for the insertion of the powder and ball paper cartridge.⁷ It could be slung by a strap running diagonally across the chest and hung by means of a ring at the Dragoon's hip. Pistols of a heavy caliber military pattern were, on occasion, issued to enlisted Dragoons; and, of course, pistols were standard equip-

⁶ James Hildreth, *Dragoon Campaigns to the Rocky Mountains, being a History of the Enlistment, Organization and First Campaigns of the Regiment of United States Dragoons; by a Dragoon* (New York, 1836), p. 51; Brackett, *History of the U. S. Cavalry*, p. 51.

⁷ For a description of the Hall carbine, see James E. Hicks, *Notes on United States Ordnance, 1776-1946* (2 vols., Mt. Vernon, N. Y., 1946), Vol. I, pp. 59, 61, 67-69, 72; plates 27, 29, 33, 34, 36, 43; for a history and evaluation of the Hall carbine, see Claud E. Fuller, *The Breech Loader in the Service, 1816-1917* (Topeka, Kan., 1933), preface, p. 17; R. G. Wason, *The Hall Carbine Affair: A Study in Contemporary Folklore* (New York, 1948) pp. 55-60; James A. Huston, *The Sinews of War: Army Logistics, 1775-1953* (Washington, 1966), pp. 114-115, 129-130.

ment for their officers, who slung them across the saddle in saddle holsters.

Even in the field or on frontier duty, an attempt was made to maintain an impressive appearance. In 1839, for example, Captain Eustace Trenor, then at Fort Gibson, advertised that the Dragoons needed "thirty sorrels for Company F, twenty-three bays for Company E, forty-five grays for Company C, and fifteen blacks for Company G." Even on this rough frontier post, the Dragoons were required to wear white trousers on all parades and drills.⁸

The newly-enlisted troopers of the Dragoons came by various routes to Jefferson Barracks. Most were transported at least part of the distance by the Mississippi River. For nearly all of these young men — products of a rural America — it was their greatest adventure. They would be the horsemen who would ride the frontiers. Recruiters had told them of their prestige and how they could not even so much as speak to an infantry soldier without lowering their dignity. The Dragoon trooper would be equal, they were told, to any West Point lieutenant of infantry.⁹

For the average Dragoon, the adventure started with success. The passage westward was pleasant and the trip on the mighty "Father of Waters" was particularly enjoyable. At night they camped by the river and, following the evening meal cooked over open fires in front of the army tents, they told tales and sang songs. One song in particular seemed popular with them. It told of the great folk hero, the victor of New Orleans and President of the United States, Andrew Jackson. And so all joined in "The Hunters of Kentucky":

Now Jackson he was wide awake
and was not here to trifle
For well he knew the aim we'd take
with our Kentucky rifles
He marched us down to cyprus swamp
where the ground was low and mucky
There stood John Bull in martial pomp
and here was Old Kentucky.
Old Kentucky, the hunters of Kentucky
Old Kentucky, the hunters of Kentucky

"The men were a merry set," wrote a passenger on one of these Dragoon-laden barges, "looking forward to the future

⁸ Grant Foreman, *Advancing the Frontier, 1830-1860* (Norman, Okla., 1933), p. 56.

⁹ Hildreth, *Dragoon Campaigns*, p. 45.

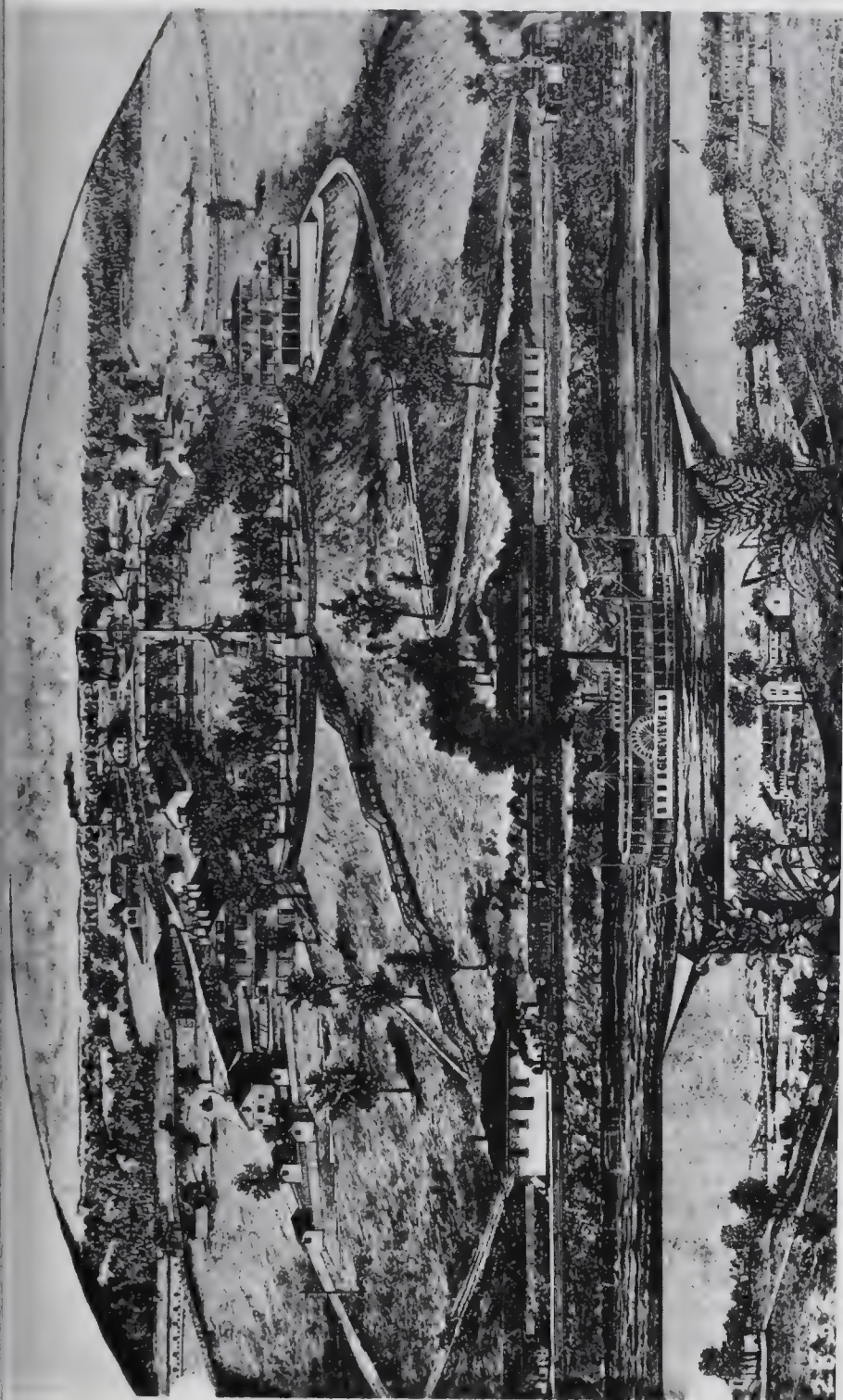
possession of their horses, arms and regimentals with considerable self-complacency; and many a song then echoed through the hoar forests for the first time; some of the most approved became from their frequent repetition almost a nuisance."¹⁰

Eventually companies of Dragoons began to arrive at Jefferson Barracks. This post, located on the Mississippi River about ten miles above St. Louis, was as yet unfinished, despite the fact that construction on it had begun in 1826. Although quarters for the new Dragoons were found, little else was supplied to meet their needs. Horses were scarce, clothing almost nonexistent, and arms and equipment in very short supply. The troopers, who had been told of lavish supplies of all of these things, were ill prepared for the privations facing them. Most had left their extra clothing behind, at their officers' encouragement, when they left for the western post, assuming that they would be resupplied. Winter came and still the Dragoons had no issue of clothing, not even great-coats to protect them from the wind and bitter cold. Arms and ammunition were in such short supply that Colonel Dodge complained that the Dragoons could not take target practice. The troopers began to grumble, and seldom did a day go by without at least one desertion. Corporal punishment increased on the post; courts-martial sat almost constantly.¹¹

At Jefferson Barracks the Dragoons got their first taste of army justice, and throughout their careers they would see a good deal more of it. Army discipline and punishment were harsh, to say the least. Military officers considered five crimes particularly deplorable for a soldier: mutiny, cowardice, desertion, stealing, and drunkenness. Most officers, including major generals Edmund P. Gaines and Winfield Scott, called for the severest punishment for these transgressions, ranging from whipping and branding to execution. "I have never seen one of these vicious idlers whipped," wrote Major General Gaines, "without seeing some positive indication that the operation *intended* as a *punishment* was *felt* as a *punishment*." The guard house was not considered sufficient punishment for the evil doers, who would only "*sleep* under guard." However, the guard houses of the western forts were often so small that the prisoner could neither stand nor lie down; they could hardly be considered places of easy punishment. Often

¹⁰ Pelzer, *Marches of the Dragoons*, p. 17.

¹¹ Hildreth, *Dagoon Campaigns*, pp. 37-38, 44-50, 59; Young, *The West of Philip St. George Cooke*, p. 70; Pelzer, *Marches of the Dragoons*, p. 26.



(National Archives)

JEFFERSON BARRACKS, MISSOURI

The staging base for troops moving to frontier stations. Here the Dragoons received their first taste of army life.

for lesser offenses a prisoner was forced to go about his regular duties carrying a large iron ball chained to his leg.¹²

The Dragoons, neither at full strength nor properly clothed and armed, received orders from the Commanding General of the Army in late 1833, that designated companies were to move to Fort Gibson in Indian Territory. Official Washington was restless because the Dragoons had not taken the field nor proceeded with the duties which they were created to fulfill. Congress had even hinted at abolishing the regiment. Motivated perhaps by political threats, the decision to send the Dragoons was clearly premature. The march to Fort Gibson put the troopers under great hardship: the weather was already turning cold and many of the men still had not been issued greatcoats or even extra blankets in their stead.¹³

It took almost a month to reach Gibson. The fort, which quartered the Seventh Infantry Regiment, was not adequate to house the Dragoons. Their encampment was on a sandbar jutting into the Grand River; someone, undoubtedly with a wry sense of humor, named it Camp Sandy. From here the Dragoons moved to a place only a little over a mile from Fort Gibson, where they began to construct barracks and stables. Here at Camp Jackson, named for the President, the Dragoons would pass the most bitter winter anyone in the area could remember.¹⁴

The barracks were makeshift and constructed flimsily of oak shingles, which offered little protection from the cold, wet weather. Buffalo robes were used to protect equipment and bedding, but at best there was little comfort at Camp Jackson. To make matters worse, the cold weather, reaching twelve degrees below zero, killed the cane and other fodder for the animals and the troopers spent much of their time foraging for their mounts. Supplies of clothing and arms reached them with great difficulty and often after great delay. The river, sometimes with a six-inch covering of ice, was down to such a low level that supply by water became impossible.¹⁵

¹² Hildreth, *Dragoon Campaigns*, pp. 49-50; Pelzer, *Marches of the Dragoons*, p. 3.

¹³ Young, *The West of Philip St. George Cooke*, p. 73.

¹⁴ Fred S. Perrine and Grant Foreman, eds., "The Journal of Hugh Evans covering the First and Second Campaigns of the United States Dragoon Regiment in 1834 and 1835," *The Chronicles of Oklahoma*, Vol. III (September, 1925), pp. 180-181; for a detailed account of the complete journey, see Hildreth, *Dragoon Campaigns*, pp. 56-75.

¹⁵ *Ibid.*, p. 85.

The Dragoons soon learned that their prestige offered them no privileged position. They complained bitterly of their tasks, and it seemed to many that they were simply work gangs doing the odious tasks of common laborers. These horse soldiers, who had been led to believe that common labor was beneath their dignity, became for a time not warriors, but "drawers of water and hewers of wood." They also had to dig the wells which supplied water for the troops and animals. Road building was another of their duties, and they contributed their labor to many such projects. Inevitably, once roads and buildings were completed, they were in need of constant repair. During the years which the Dragoons worked in Indian Territory, much of their time was taken up by such tasks.¹⁶

Many soldiers tried to avoid their loathsome tasks, but not always with success. Those who were able to avoid hard work must have served as inspirations for their less fortunate comrades. It was at Fort Gibson that one such ruse occurred. Brigadier General Matthew Arbuckle, commanding the Seventh Infantry Regiment at the fort, had ordered a well dug outside the fort. For this purpose, the officer of the day was instructed to detail two guardhouse prisoners to do the digging. The work went well at first, but because the digging became more difficult in the subsoil, each day's work could be measured in inches. Each day the two prisoners went to their assigned duty of sinking the well. This went on for eighteen months with the prisoners dutifully reporting at the end of the day the progress made. When the officer at the end of the period reported progress of 465 feet nine inches without any water, Brigadier General Arbuckle decided to have the well-digging effort investigated. When the officer arrived in the middle of a work day, he discovered the two prisoners at the bottom of the hole, which was fifteen feet deep, playing cards. The well was never completed.¹⁷

The bitter winter of 1833-34 gave way to an unusually warm spring. The Dragoons were about to face their first summer in Indian Territory, where even the natives were often amazed by the capriciousness of the weather. Not only was there the heat, but as one Dragoon wrote, "This country is remarkable for insects such as snakes, Ticks, & Cattipillars."¹⁸

¹⁶ *Ibid.*, p. 119; Foreman, *Advancing the Frontier*, p. 43.

¹⁷ George A. McCall, *Letters from the Frontiers, written during Thirty Years' Service in the Army of the United States* (Philadelphia, 1868), p. 372; Foreman, *Advancing the Frontier*, p. 44.

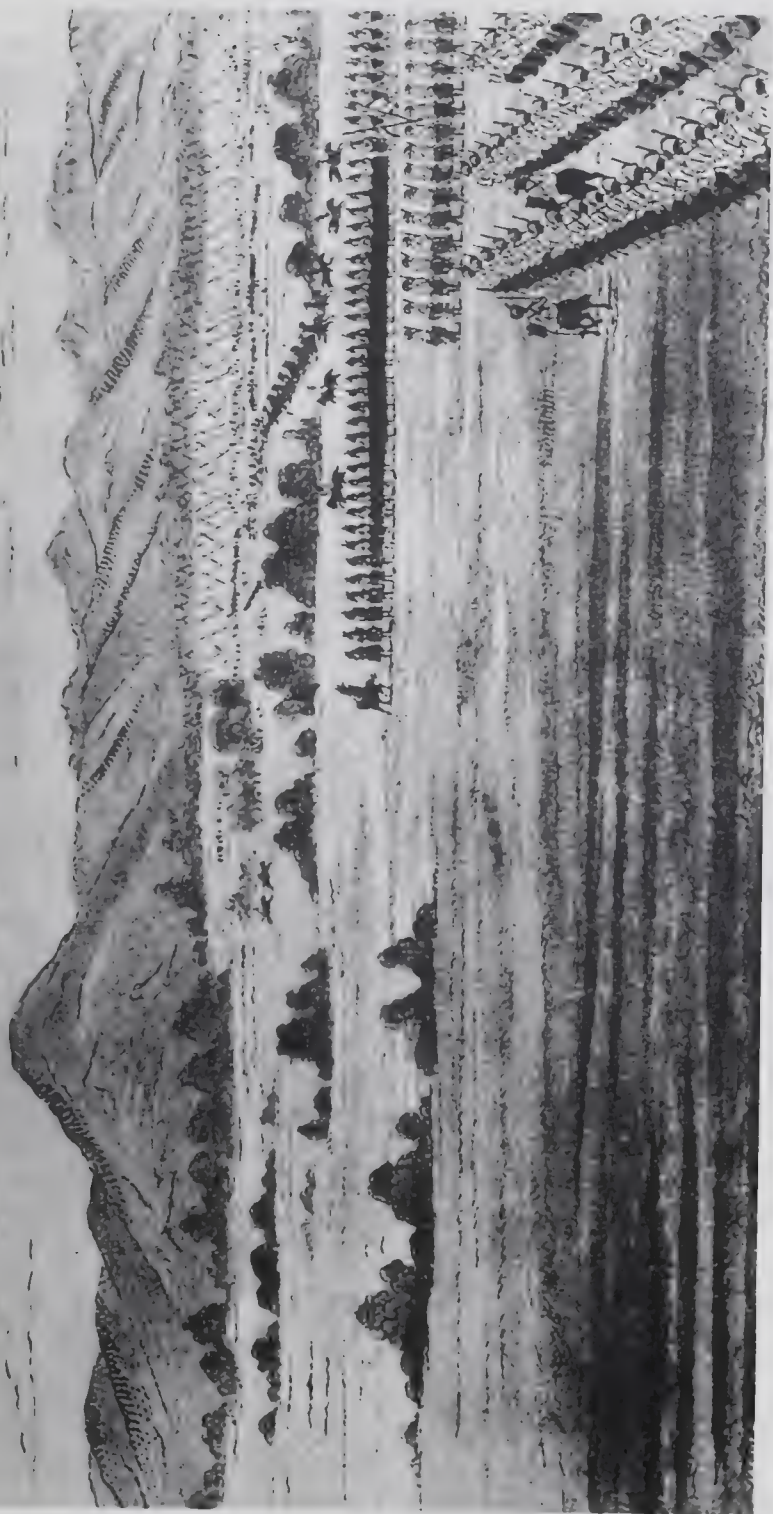
¹⁸ Pelzer, *Marches of the Dragoons*, p. 32.

The most important duty of the Dragoons was keeping peace among the various Indian tribes of the area. One of the ways both Congress and the War Department hoped to keep the peace was by a show of strength. True, the Indians had seen United States soldiers before, but the earlier soldiers were infantry who had impressed them very little. To the Indians they were "walk-a-heaps," and walking lent no dignity to a warrior. Although the Dragoons had patrolled and had garrisoned smaller camps in the spring of 1834, the Indians to the west, particularly the Comanches and the Pawnees, had seen very little of this new regiment. During the summer of 1834, the lordly warriors of the plains were to be awed by the glitter and power of United States mounted troops. Five companies, totalling 500 men led by Colonel Dodge and accompanied by Brigadier General Henry Leavenworth, were to take the field. They were to march 250 miles southwest, across the rolling prairies and through the densely-wooded Cross Timbers, 150 miles west of Fort Gibson, and on to the villages of the Comanches and Pawnees.^{18a} Their assignment was to deliver gifts and return abducted Indian children to their tribes in the hope of inducing the chiefs to come to a general peace settlement.¹⁹

For several days prior to departure, Fort Gibson had been alive with civilian visitors ready to accompany the expedition. These visitors, among them George Catlin the artist, were men of some reputation; and while they were undoubtedly known to the officers, it is doubtful that many, if any, of the troopers had ever even heard of them. The men looked forward to the expedition as a great adventure and an escape from dull garrison life. "Our camp," wrote Trooper James Hildreth, "is now, throughout the day, a constant scene of bustle and noise, the blacksmith shops

^{18a} The villages referred to here were those of the *Pawnee Pict* or *Wichita*, located on the North Fork of Red River. An alliance between this tribal group and the Comanche in 1747, was promoted by the French trading relations north of Red River. This close alliance as the years passed brought about the general use of the term *Pawnee* in referring to all the Comanche and their allies up to the time of the Civil War (1861-1865) in the Indian Territory.

¹⁹ Thompson B. Wheelock, *Journal of Colonel Dodge's Expedition from Fort Gibson to the Pawnee Pict Village, 1834*, reprinted in *American State Papers, Military Affairs*, Vol. V, p. 375; George H. Shirk, "Peace on the Plains," *The Chronicles of Oklahoma*, Vol. XXVIII (Spring, 1950), pp. 2-41, gives the complete Wheelock journal, together with the map of the route and camp sites, annotations, and biographical data; Pelzer, *Marches of the Dragoons*, p. 34; Young, *The West of Philip St. George Cooke*, pp. 75-76; Pelzer, *Henry Dodge*, p. 91; Carolyn Thomas Foreman, *The Cross Timbers* (Muskogee, Okla., 1947), pp. 5-7.



(George Catlin's *North American Indians*)

THE FIRST DRAGOONS MEETING FRIENDLY COMANCHES

George Catlin, the famous painter of the frontier, accompanied the 1834 expedition on which this scene occurred.

are kept in continual operation, tailors and saddlers find constant employment, and in fact no one has time to be idle; one half of the regiment are daily detailed to watch horses whilst grazing upon the prairies, which is now the most severe duty to be performed, standing during the whole of the day exposed to the heat of a broiling sun, which during the last week has raised the mercury to from 103° to 107° in the thermometer.”²⁰ On June 10 General Leavenworth reviewed the troops at Fort Gibson, was pleased with their performance, and concluded that they were ready for the march. The restlessness and search for adventure which had led many young men to join the Dragoons would at last be rewarded.²¹

It was already warm that June morning when the trumpeter called the Dragoons “to horse.” The expedition assembled on the parade ground at Fort Gibson was the most impressive view many of the young troopers had even seen. The men had been up for several hours tending the animals and checking equipment. Just prior to the order to march, there was excitement in the air as officers rode up and down the line conferring with other officers and with the first sergeants. There must have been a sigh of relief when at last the order was given to march and the soldiers wheeled to column and moved away from the fort.

The campaign of over two months’ duration in the sweltering heat of Indian Territory would severely tax the men, horses, and equipment. The members of the expedition had little idea where they were going, and even Colonel Dodge confessed that he was not sure of the exact location of the Indian villages which were his objectives.²²

Good time was made during the early part of the expedition and the whole command seemed, despite the hot weather, to be in high spirits. Officers boyishly raced their horses against each other and chased wild buffalo and other game to test the metal of their animals. Occasionally Indians were sighted, and the Indian scouts who had accompanied the expedition were sent out to exchange communications.²³

As the country flattened out into broad rolling plains and as the heat of July intensified, the command began to suffer. Ill-

²⁰ Hildreth, *Dragoon Campaigns*, pp. 119-121; Young, *The West of Philip St. George Cooke*, p. 76.

²¹ Pelzer, *Marches of the Dragoons*, p. 33.

²² Pelzer, *Henry Dodge*, p. 95.

²³ Young, *The West of Philip St. George Cooke*, p. 75.

ness and heat took their toll. On the first of July three officers and forty-five troopers were reported on the sick list, and the number steadily grew. On July 4 the Dragoons crossed the Washita River; once over, it was decided to reorganize the much depleted command. About 200 men, almost half of them ill, were left there in camp while Colonel Dodge chose about 250 men to push on. After having issued eighty rounds of carbine ammunition and ten days of rations for a twenty-day march, they left the baggage wagons behind and set out to find the Pawnee village.²⁴

On July 14, Colonel Dodge conferred with some Comanches who had entered the Dragoon camp for tobacco. He concluded that they were the most powerful of the tribes in the area and decided to visit their village first. No one could be sure how the soldiers would be received, and the command was tense with "officers and men on the alert, as if in the atmosphere of war."²⁵ But when the Dragoons arrived, there was no open sign of hostility and the chief was away on a hunting trip. After waiting more than a day for his return, it was decided to push on to the Toyash or Pawnee village. One of the Comanches who had been there offered to guide Dodge, and the offer was gratefully accepted.²⁶

Heat, illness, and desertion continued to take their toll. On July 19, the command was again divided and seventy-five men, half of whom were ill, were left behind in a camp. Baggage for the remainder of the command was reduced to what could be carried by three pack horses for each company. Hunger also plagued the expedition. The soldiers had been without bread for a month. The buffalo which had provided much of the meat for the soldiers were now scarce in the area, and although some game was sighted, the troops were moving too fast for any extended hunting. Horse meat became a common part of the troopers' diet. What little game taken was "scanty allowance of provisions for our men . . . [and was] divided among the command with great care." Water was also in short supply and each time the Dragoons thought they had found it, they discovered on arrival that it was only a salt deposit. Of the 500 men who had left Fort Gibson five weeks before, only 183 were left to confront the Pawnees.²⁷

²⁴ Wheelock, *Journal*, pp. 373-374; Perrine and Foreman, eds., "The Journal of Hugh Evans," *The Chronicles of Oklahoma*, Vol. III, pp. 183-184.

²⁵ Wheelock, *Journal*, p. 375; Perrine and Foreman, eds., "The Journal of Hugh Evans," *The Chronicles of Oklahoma*, Vol. III, pp. 188-189.

²⁶ Wheelock, *Journal*, p. 376.

²⁷ *Ibid.*, pp. 376-377; Perrine and Foreman, eds., "The Journal of Hugh Evans," *The Chronicles of Oklahoma*, Vol. III, pp. 189-190.

On the next day, July 20, the expedition was within five miles of the village. They received no couriers or any sign of recognition from the Indians; officers and troopers alike believed this to be an ominous sign. The Pawnees may have decided to leave, or worse yet, fight the soldiers. Each trooper checked his carbine to see that the round in the chamber was tight and dry and that a fresh percussion cap was on the nipple as the order came down to "fix bayonets."²⁸

The next morning the command began a cautious move toward the village. After covering about a mile, they were confronted by a band of about sixty Pawnees, who fortunately turned out to be friendly. The Indians, alarmed at the sight of readied arms, begged Colonel Dodge not to fire on them. The Dragoons were then escorted past well-cultivated fields of corn, melons, beans, pumpkins, and squash into a village of about 200 grass lodges.²⁹

The Indians were hospitable and the hungry soldiers received large amounts of fresh food. In addition, the troopers traded them such goods as articles of clothing and knives for more food, presumably to carry back with them. Their hunger on the march was not easily forgotten. The village was not, however, paradise. They were still soldiers with all the duties of soldiers in the field, and arms, equipment, and animals had to be tended. Nor could they completely relax while their officers negotiated with the Indian chiefs, whose numbers drawn from the surrounding area grew daily. The Dragoons were in the midst of potential enemies who greatly outnumbered them.³⁰

At one point in the negotiations a band of heavily armed Kiowas, misinterpreting the soldiers' mission, burst into camp apparently ready to do battle. The soldiers went for their carbines, but cooler temper prevailed. Dodge assuaged the warriors, and the peace talks, now including the Kiowas, continued. At the

²⁸ Wheelock, *Journal*, p. 377.

²⁹ *Ibid.*; Perrine and Foreman, eds., "The Journal of Hugh Evans," *The Chronicles of Oklahoma*, Vol. III, p. 192; Pelzer, *Marches of the Dragoons*, p. 39.

³⁰ Wheelock, *Journal*, 377; Perrine and Foreman, eds., "The Journal of Hugh Evans," *The Chronicles of Oklahoma*, Vol. III, p. 194; Hildreth, *Dragoon Campaigns*, pp. 160-161.

³¹ Wheelock, *Journal*, pp. 377-378; Perrine and Foreman, eds., "The Journal of Hugh Evans," *The Chronicles of Oklahoma*, Vol. III, pp. 203-204; Hildreth, *Dragoon Campaigns*, p. 171; Pelzer, *Marches of the Dragoons*, pp. 44-45; Pelzer, *Henry Dodge*, pp. 107-108.

village the officers got at least part of what they wanted, a peace convention at Fort Gibson; and the troopers got what they needed — food, water, and rest.³¹

The return trip to Gibson started on July 25, after Colonel Dodge, because of the conditions of the regiment, abandoned the plan to march to Fort Leavenworth, on the Missouri River 250 miles north of Fort Gibson. The Dragoons faced the same hardships that they had faced on their trip west. Still, from all accounts, the return was less trying. It is probable that the absence of apprehension of the unknown, along with a certain knowledge of where they were going, improved the soldiers' state of mind. Furthermore, the knowledge of the distance between good water and how far it was to the buffalo range and fresh meat allowed the officers to more properly prepare for the return. Even so, the journey was difficult. The men were weak, for nearly all were ill. The horses were sadly depleted with no more than ten, according to Dodge, fit for duty at the end of the trip. Of a command which had numbered about 500 in June, 100 of the Dragoons had lost their lives. Their mission was achieved, but the cost had been exorbitant.³²

In the decade that followed there would be many more Dragoon patrols, explorations, and expeditions. None would be as large nor as disastrous as this one, but all would take their toll. The expedition of Captain Nathan Boone, a son of Daniel Boone, in 1843, is another example of Dragoon activity. Boon and his command mapped the area they explored and brought back mineral samples and other scientific data. It would be accounted a high success, but even so it was plagued by illness, short rations, and the death of two troopers.³³

The Dragoon units stationed on the frontier learned the hard lessons of that life. In time they became frontiersmen with spit and polish, but frontiersmen nonetheless. They learned the skills and ways of the wilderness, sometimes through experience, and sometimes from such skillful frontiersmen as Captain Boone. They learned to construct boats out of the materials available for crossing rivers. They learned to track men and animals, and even deter-

³² Wheelock, *Journal*, pp. 377-382; Perrine and Foreman, eds., "The Journal of Hugh Evans," *The Chronicles of Oklahoma*, Vol. III, pp. 205-215; Pelzer, *Marches of the Dragoons*, pp. 40-48; Hildreth, *Dragoon Campaigns*, pp. 176-182.

³³ Nathan Boone, *Captain Boone's Journal of an Expedition over the Western Prairies*, reprinted in Pelzer, *Marches of the Dragoons*, pp. 181-237.

mine the age of the tracks. They learned to hunt the buffalo, to dry its meat for food, and to use its hide for warmth and comfort. They learned to find water in dry country and even where to dig for it when necessary. They became men who could not only survive but also work in a difficult land.

If these troopers saw the cruelty of nature, with its torrential rains, searing heat and blinding sun, turbulent storms and bitter cold, they also saw its spectacular beauty. They saw the grassy rolling plains, the wooded hills and winding streams, the vast abundance of game and the great herds of buffalo and wild horses. They saw the Indians' strange ways and heard music which fell dissonantly on their ears. They saw the mighty warriors and the great chiefs. They lived a life that stimulated all their senses.

Life could also be incredibly cruel for the Dragoons. They died in great numbers from heat, cold, disease and accidents, and army cruelty. The name "grave yard of the army" passed from fort to fort, and for a time it was used to describe Fort Gibson. Diseases, particularly cholera, at times ran rampant in these western forts. Isolation was the only protection, and this was not always feasible. Accidental death as a result of falls from horses, drowning, and gunshot wounds appear constantly in the journals of the officers and troopers. Moving equipment across rivers and creeks was a particularly hazardous task. For this there was no proper equipment, and even such boats as might have been used could not have been transported with the troops across vast stretches of land. Often lines for towing rafts and boats had to be taken by swimmers across swift and treacherous streams to the opposite bank. Sometimes men were lost in this dangerous task, or later when their flimsy rafts or boats were often capsized.³⁴ Gunshot wounds and deaths were also common. Part of the danger grew out of the mechanical nature of the weapons. Unlike modern pistols and rifles with their internal and manual safety devices, the arms of the nineteenth century had few safety features. In order for a weapon to be ready for action, it not only had to be charged, but a percussion cap had to be on the nipple. When the cap was in place, the hammer had to be positioned in a safety notch or at half cock, both of which only lifted the hammer away from the cap, but did not place a positive block between the hammer and the primer. In addition, the caps were made of notori-

³⁴ See Perrine and Foreman, eds., introduction to the "Journal of Hugh Evans," *The Chronicles of Oklahoma*, Vol. III, pp. 175-177; Boone, *Journal*, pp. 211-212.



(Oklahoma Industrial Development and Park Department)

**FORT GIBSON STOCKADE
INTERIOR**

The restored post showing the well and officers' barracks. Fort Gibson was the main army post and Dragoon headquarters in Indian Territory.



(Oklahoma Industrial Development and Park Department)

**FORT GIBSON STOCKADE
PARADE GROUNDS**

The parade grounds looking toward the restored barracks which housed Dragoon officers and enlisted men. The punishment stocks are in the foreground.

ously unstable chemical compounds which might ignite under a light blow. If the weapon fell or was dropped, or if the notches were worn or the hammer was improperly set, it was susceptible to accidental discharge. Boone's expedition, for example, suffered from three such accidents, resulting in the killing of two troopers and the wounding of one officer. These accidents, whether gunshot wounds, drowning or otherwise, were so common that they were treated almost as natural events. Illness and accident fell far more American troops in the West than the arrows and bullets of the red man.³⁵

Although Dragoon soldiers experienced many frontier adventures consisting of everything from hunting to Indian patrols and major expeditions, combat was rare, and most of their service life was taken up in garrison duties. Post life, whether at Camp Jackson, Fort Gibson, Fort Leavenworth or any of the smaller posts strung across the Indian country, was taken up in hard work and dull routine. The life of soldiers from post to post seems to have differed little. The installations were relatively isolated and social circles were small. The lesser posts were occupied by small units of company strength or less, and partially for this reason the army's social practice developed of not associating with other enlisted men outside the company. Other factors also narrowed the troopers' circle of friends. The army, whether infantry or dragoons, generally marched four abreast. Hence, the soldier's closest friends were usually the members of his "set of four." While on field duty, the army traveled as light as possible, often issuing only one blanket per man, and on cold nights troopers would sleep in pairs by sharing their blankets and rolling up together for warmth. Each man's closest friend was usually his "bunkie." Officers, even on the smaller posts, were generally inaccessible to the troopers, and while they represented an ultimate authority, the most immediate superior was the sergeant. This noncommissioned officer was generally of a tough breed. In fact, toughness was a requirement for a sergeant because he sometimes had to handle his men by force. His authority was great: A private normally could not approach his officer without first having the sergeant's permission.

Daily activity on a frontier army post began early, usually at or before the first trace of light in the eastern sky. After roll call, the first duty of a Dragoon unit was to tend the horses and clean the stables. Then came breakfast at about 7:00 a.m. Constant

³⁵ For examples, see *ibid.*, pp. 187, 209, 223, 234; Young, *The West of Philip St. George Cooke*, p. 74.

repair of the wooden facilities of the fort was necessary, and the trooper for much of his service life was a carpenter or painter. Foraging duty was also common. This was usually one of the more desirable tasks, since it took the detail outside of the confines of the fort. Trips to towns or to other forts were generally looked forward to, because they offered the trooper a break from the bleak routine and provided a chance to meet other people, exchange news, and hear of the outside world.

The Dragoon spent much time cleaning and tending to his equipment and uniforms. Like all soldiers, his weapon was his "best friend." In the case of the Dragoon, this was primarily his carbine, which in the 1830's and 1840's was a caplock Hall loading at the breech. This weapon was much maligned by Dragoon officers, but it was actually an excellent weapon for mounted troops; in fact, it was at the time the most advanced military weapon in the world. The Hall could be loaded and fired from three to five times faster than could the standard muzzle-loading weapon. Further, because it did not require that the load be rammed the length of the barrel, it was ideal for use on horse back.³⁶

One of the difficulties with the Hall, like the other weapons of the time, resulted in part from the overzealousness of the officers, who required a great deal of cleaning and polishing of weapons. Colonel George Croghan, the army's Inspector General, reported after one of his inspection tours that soldiers cleaned and polished their weapons until they gleamed, but that they polished away the finish, which exposed the bare metal to the elements and weakened the lock work so that they became inoperative. With the Hall, if the face of the breechblock was polished too much, a gap between the chamber and the barrel was created, allowing the hot gases to escape and moisture to seep in. Yet despite officers' protests, there is evidence that troopers familiar with the Hall thought quite highly of it, not the least reason being that the breechblock, which also contained the hammer, could be removed and with a reduced powder charge used as a pocket pistol.³⁷

³⁶ Carl L. Davis, "Army Ordnance and Inertia Toward a Change in Small Arms Through the Civil War," (Master of Arts Thesis, Oklahoma State University, 1959), pp. 17-25; Young, *The West of Philip St. George Cooke*, p. 74.

³⁷ Official Report of Colonel George Croghan, Inspector General, October 26, 1836, in Francis Paul Prucha, ed., *Army Life on the Western Frontier* (Norman, Okla., 1958), p. 97; Samuel E. Chamberlain, *My Confessions* (New York, 1956), p. 58.

It was, of course, first priority that weapons be kept in working order, since most of the small frontier posts had only limited reserves of arms and little facility to make more than minor repairs. Swords, bayonets, and pistols likewise came in for their share of care, although none of these items were ever particularly popular for combat use by Dragoon soldiers.

Other items of equipment also required constant attention. Much time was consumed in the upkeep of the Dragoon uniform. Not only did it have to be washed and pressed, but its buttons, lace, and gilt had to be polished or maintained. Leather, which deteriorated rapidly under weather, rough use, and general frontier conditions, was also a constant source of worry. Broken straps, detached stirrups, or cracked saddles could be more than a nuisance; they could be a matter of life or death while the troopers were in the field. Blankets and bedding also had to be mended and kept clean.

Drill was almost a common daily occurrence and full-dress inspections were regular, usually at least once a week. The cantonment grounds had to be kept clean. Water had to be drawn for men and horses and for purposes of cleaning and washing. Wood had to be cut and gathered into the fort; and where wood was in short supply, other fuel, such as buffalo chips, were gathered in its stead. The garrison troops also attended to the fort's garden and supplied at least part of the fort's meat by hunting. Sometimes cattle herds were maintained to furnish part of the meat supply. It was even suggested by one Dragoon officer, Edwin V. Sumner, that extensive acreage be put under cultivation to supply food for the horse, although there is no evidence that this procedure was ever followed to any great extent by frontier garrisons. Horses were often pastured outside the confines of the fort, and men were detailed to tend them. All in all, the day was long and hard; and when the bugle for lights-out sounded at 9:00 p. m., most troopers were ready to go to their bunks, to be rested so they could start all over again the next sunup.³⁸

Life on a frontier post, although limited, was more nearly adequate for Dragoon officers. They brought a great deal of baggage, a good bit of it books. Also significant numbers of officers brought their wives and families with them. Hard as his life often was, an officer might have it softened and comforted by having women and children around him. At post dances he could

³⁸ Pelzer, *Marches of the Dragoons*, pp. 169-171.

socialize with his wife or with the wives of other officers. He was often given private quarters. There is no attempt here to say that life for the officer was not harsh, but it should be noted that it was less so than it was for his men.

Isolation and loneliness fell more heavily on Dragoon enlisted men than on their officers. Very few had wives and families on the post, and women companions for unmarried soldiers were scarce. Neither wives nor wholesome female companions were available for enlisted men at Fort Gibson and the smaller and more isolated posts in Indian Territory of the 1830's and 1840's. The lack of these proved a basic handicap, for American society of the period was rural and family centered. The extended family was still the rule rather than the exception. Families were usually large, and the American man was normally surrounded by women — his mother, his sisters, and his cousins. They were an important part of his life, and the loss of them was often devastating.

The possibilities for recreation at Dragoon frontier stations were also limited. Post libraries seldom contained more than half a dozen worn volumes. Music, an important part of American life and entertainment of the period, was such as could be created by the soldier or by the post band, if indeed the post had a band. Americans liked to sing, and soldiers were no exception. They could sing, bet on cards, or drink, and they often did all three at the same time. Footracing, horseracing, and wrestling were as common at military posts as they were in other American communities. But these activities often did not relieve the drudgery, boredom, and loneliness that was the life of the frontier soldier.

Considering this kind of life, it is understandable that drinking became the major problem of the army. In some years liquor accounted for about one-fifth of all deaths at military hospitals. Officers punished over-indulgence, but seldom did anything to alleviate the conditions which encouraged it.³⁹

Thus, it is understandable that about one-fourth to one-third of the enlisted troops deserted or took "leg bail" each year. Officers attributed this to the "low character" of the common soldier, but harsh conditions, severe discipline and punishment, boredom, and loneliness, probably explain this statistic better. The Dragoons suffered less from these problems than other units on the frontier,

³⁹ *Ibid.*, pp. 5, 170, 173; Charles W. Elliott, *Winfield Scott, The Soldier and the Man* (New York, 1937), p. 270.

partially because of a professional core of noncommissioned officers and troopers, but they were still serious.⁴⁰

Although life of the Dragoons in Indian Territory in the years before the Mexican War was hard, it was productive. By 1846, any doubts as to the value of these expensive units were dispelled even in the thoughts of the economy minded Congress of the period. They were, at once, the most respected and the most useful regiments in the army. The Dragoons helped garrison the forts of Indian Territory and kept the peace. They escorted traders, artists, scientists, and other important people across the rolling hills and prairies and through the mountains. They built and repaired roads, keeping open the meager lines of communication. Dragoons helped explore and map the region, and helped accumulate scientific samples of minerals, soils, and woods. Much of what was known about Indian Territory was a result of Dragoon efforts. Many of these achievements were accomplished in the face of the most extreme difficulties. Despite the frequent cruelties of man and nature, the Dragoons performed their duties with credit and prepared the way for a westward marching America. They were the vanguard of a coming civilization; they stood on the frontiers of the Republic; and all things considered, they served that Republic well.

⁴⁰ Robert Utley, *Frontiersman in Blue: The United States Army and the Indian, 1848-1865* (New York, 1967), p. 18; Pelzer, *Marches of the Dragoons*, p. 20; Hildreth, *Dragoon Campaigns*, pp. 44-46.

TOBUCKSY COUNTY COURTHOUSE

By A. D. Hefley*

The old Choctaw Indian Courthouse now located on the North McAlester playground park, was built in 1876 by the late Dr. Daniel Morris Hailey, pioneer physician of McAlester and father of the late Judge W. E. (Bill) Hailey.

According to Judge Hailey, his father built the house of similar design of the Hailey home, which was about 150 feet north of the old courthouse. The house was built for Mrs. Nancy Chunn, sister of Mrs. Hailey, mother of Judge Hailey. Mrs. Chunn was a widow at the time, and had several children. Dr. Hailey built the house for Mrs. Chunn, so that she might move from Brewer to McAlester and educate her children.¹

According to the late Otis Sherrill of Choate Prairie, this building was bought from Frank Allbright about the year 1881, and had been previously used for a dwelling. George Choate was county judge at the time of the purchase. Rufus Folsom was district judge, and J. P. Connors was a later judge.²

In this building, Bible Wade was tried for an attempt of rape and was given thirty-nine lashes on the back by Sampson Cole.

The last county judge to serve in the Choctaw Courthouse was Solomon H. Mackey of Savanna, who was first elected county judge of Tobucksy County in 1902. Tobucksy comes from the Choctaw word *Tobaksi* meaning "coal" in Choctaw.

In 1903, Judge Mackey was elected representative to the Choctaw Council, but did not fill the office, as he wanted to run

* Mr. A. D. Hefley has been a teacher in the public schools of Pittsburg County, the Elementary Administrator in McAlester Schools, and a writer of articles for state magazines and local newspapers for many years. He is past president of the Pittsburg County Education Association, and was made Principal Emeritus of William Gay School in McAlester upon his retirement in 1960. —Ed.

¹ The old Choctaw courthouse was recently moved from its original location on the west side of U.S. Highway 69 at the north edge of McAlester. This site was on the Tobucksy County Court ground near the famous Texas Road which approximated present U.S. Highway 69 through this part of the Indian Territory. The old courthouse was preserved on its original site for many years by the Ohoyohoma Indian Women's Club of McAlester.

² Information for this article was secured from the papers and records of the late Judge J. B. Connors of Tobucksy County, Choctaw Nation.



TOBUCKSY COUNTY COURTHOUSE
CHOCTAW NATION

for county judge in 1904. He was elected to this office and served until statehood in 1907.

Previous to his election as county judge, he served as sheriff for eight years and as a United States Deputy Marshall for some time.

Judge Mackey's first commission was written out on a typewriter and signed by Green McCurtain, Principal Chief of the Choctaws, with Pres Lester, later state senator in Oklahoma, signing as private secretary to Governor McCurtain.

By the time the second commission was issued to Judge Mackey, the Choctaw Nation had acquired more dignity in its commission forms, having a printed form to be issued to those elected to office.

The first commission was issued October 13, 1902, and Judge Mackey was sworn in by H. P. Ward, Probate Judge of Atoka County. The second commission was likewise signed by Governor Green McCurtain and Pres Lester.

Judge Mackey's sister later made her home with a son, David Mackey of McAlester. David Mackey was appointed county clerk October 3, 1904, and served until statehood. His commission was also signed by McCurtain and Lester.

The following was the ticket of the Tuskahoma Party in 1904: Green McCurtain, Principal Chief; N. J. Folsom, District Judge; W. H. Harrison, District Attorney; Adam Joe, District Chief; G. W. Choate, senator; L. H. Perkins, representative; S. H. Mackey, county judge; Joe Anderson, sheriff; and Gilbert Arpelar, ranger.

One of the duties of county judge was to approve applications for permits to remain in the Choctaw Nation. A white farmer was required to pay \$5.00 per year, a laborer \$2.60 per year and a blacksmith \$5.00 and a lawyer \$10.00. The county judge also approved the sale of all stray animals by the sheriff.

Following is a list of county officers of old Tobucksy County, Choctaw Nation, from 1880 to statehood in 1907:

County Judges: Edmond F. Krebs, Albert Carney, Holson James, Wm. B. Pitchlyn, G. M. Bond, J. P. Connors, Aaron Apalah, Solomon H. Mackey, George Choate.

County Clerks: William M. Stevens, J. P. Connors, E. Rex Cheadle, John O. Toole, Henry Ansley, A. W. McClure, Will T. Walker, David Mackey. W. T. Stevens and J. P. Connors (Both intermarried Choctaw) were the only white men serving in this office.

Sheriffs: Sampson Cole, Colbert Moore, Joe Nail, William Johnston, George Pounds, Solomon H. Mackey. Of these, only George Pounds (inter-married Choctaw) was a white man.

From its humble exterior, one can get little to suggest the very important matters that were adjusted within the walls of this courthouse. This sketch does not cover in detail the cases that were tried there, records that were made, or the interesting proceedings that were had, although there were many which would be of valuable interest from a historical standpoint.

A few days spent in the Indian Archives of the Oklahoma Historical Society and at the U.S. Indian Agency in Muskogee where there are old records would reveal many interesting cases tried in this court. For instance, as a bit of interesting history, there is a certain nostalgia about the fact that in this little courthouse one day, Judge Connors settled a dispute over who should have the rent from a cornfield surrounded by a rail fence, the west line of which running north and south paralleled a road that is now South Main Street in McAlester, and the north line of which running east and west, if traveled today, would split several blocks of buildings between Choctaw and Carl Albert Avenue. If the Aldridge Hotel should fall southward, it would fall across the line of this old fence.

In fact, there was attached to the field fence, on the north, a large livestock lot which enclosed a big spring and the ground now occupied by the Aldridge Hotel.

Because of the rapid development of the coal industry in Tobucksy County in the 1880's, this little courthouse became the most important county court in the Choctaw Nation. All the noted attorneys of the Choctaw Nation, some of them admitted to practice before the Supreme Court of the United States, transacted business within its walls.

Judge Connors had an intimate, personal acquaintance with all of these men who had so much to do with keeping a bewildered people from rocking the boat at a time when they saw their nationality sinking into — will it be oblivion?

In giving a list of the noted men who transacted business in the little Choctaw Courthouse in North McAlester, we shall begin with Campbell LeFlore and James Standley, not because they were partners, but because of their services to the Choctaw Nation. They both were of a small degree of Choctaw descent and served as officers during the Civil War under the Confederate

Command. They both served as delegates representing the Choctaw Nation in Washington D. C. on many occasions.

Campbell LeFlore had a residence in Fort Smith, Arkansas, just across the Poteau River from the Choctaw Nation. He had large investments there among which was the LeFlore Hotel that flourished as a business in the early 1870's, for it was a spacious building and a well-known stopping place for many noted men in the southwest. Fort Smith was the seat of the U.S. Court in 1874 with jurisdiction over the Indian Territory and famous many years for Judge Parker's "Hanging Court."

Campbell Leflore, a genial and friendly man, was popular among the Choctaw people, although he could not speak the language. He and Judge Connors first met in 1883, at which time they formed a partnership, the result of which would make a long story.

James Standley was a very reserved, dignified man who took everything he did seriously. In representing the Choctaw people in Washington, D. C., he always commanded the highest respect. He had come west to the Indian Territory several years after the Civil War and therefore was classed as a "Mississippi Choctaw."

Both of these gentlemen were admitted to and did practice before the United States Supreme Court, but with all the honor attached to that, the legal pathway of both of them led to within the walls of the humble little pine-box courthouse on North Main Street.

Gilbert W. Dukes actually tried cases in the little courthouse. Dukes was of fine physique, well over six feet tall and weighed over 250 pounds. He served the people of the Choctaw Nation in many official capacities including the highest office within their gift — election as principal chief — by custom addressed as "Governor." His appearance and his popularity among the full-bloods did not seem to travel in the same direction. Even Kit Carson never would have shot him for an Indian. He looked like a big Englishman and not a bit like an Indian, but given a full-blood jury and with his wonderful eloquence and unbelievable prejudice, he would convince them that no white man ever told the truth!

A member of the Dawes Commission once asked Governor Green McCurtain why it was that Dukes, although so much like a white man himself, always exhibited such venomous prejudice? McCurtain, with that wit for which he was so well noted, replied

quickly, "It must be the unpardonable sin. A white man once stole his last bottle of whiskey."

Alex Durant comes next in our series of lawyers who practiced in the old Choctaw Courthouse. Unlike his husky contemporaries, he was crippled in body and limb, but he was a giant in intellect.

Alex Durant served the Choctaw Nation in a number of official capacities and was national attorney for several terms. A very notable work of his was the compilation of the Choctaw laws into one volume which was known as the "Durant Code." His relative and fellow citizen, William A. (Bill) Durant, was appointed principal chief by the U. S. executive and served over the last activities of the Choctaw government until his death in 1952. Chief W. A. Durant as well as Alex Durant were recognized authorities on the constitution and the treaties between the Choctaw Nation and the United States.

Dave Roebuck was a man worthy of attention. He would have graced the stage as did Joe Jefferson of old. He was as much at home on the platform as William Jennings Bryan, Champ Clark or Jim Reed, with the added attraction of being a typical Indian as portrayed in song and story by the writers of yesteryear.

Roebuck was interested in many cases originating in our little court. He practiced in all courts of the Choctaw Nation and had a large practice in northeastern Texas, being associated with Jake Hodges, the noted criminal lawyer of Paris, Texas. He was killed in a railroad accident in the very prime of his life and in the midst of a busy career. His old farm home was near a lake in the Red River Valley known for many years and still shown on Oklahoma maps as Roebuck Lake in Choctaw County.

Simon E. Lewis was a lawyer who probably knew more about thousands of Choctaws than they knew about themselves, and especially about their ancestry. He practiced law in all the courts of the Choctaw Nation and was the first District Judge of the First District (Mosholatabbee District) after the five counties of this district built a joint courthouse on Gaines Creek near Wilburton.

Returning from the Confederate service at the close of the Civil War, after three years of service, at the age of nineteen, Simon Lewis was employed to help compile a census of the Choctaw people. What he learned when thus engaged, made him famous.

Simon Lewis was a recognized authority on Choctaw citizenship and served as a member of the Choctaw commission to wind up the tribal affairs of the Choctaw Indians. This commission was appointed under the Dawes Commission. Captain Archibald McKennon of the Dawes Commission called him a "human dictograph," as indeed he was as anything once impressed upon his memory was never forgotten.

Perhaps the most unique lawyer that ever practiced in the Choctaw court, was Josiah Gardner. He could neither read nor write. He had no formal education of any kind, but handled more cases in court than any other lawyer. All he knew about law, with its many and varied formalities, he learned within the walls of the little pine-board courthouse on North Main Street. Young Henry Ansley who prepared his briefs for him, taught him to sign his name. Josiah was a very intelligent full-blood and outwitted many a smart lawyer in the trial of cases because of his wonderful gift of managing to get the evidence on both sides of the case, especially from full-blood witnesses. Josiah drifted into the practice of law from his experience as a scout or contact man, in which line of work he was employed by ambitious citizens to discover how much progress and monopoly the full-blood would ever stand for. He practiced in all courts, but only in an advisory capacity outside his own county in the Nation.

The firm of Telle and Pate of Atoka enjoyed a lucrative practice among the Choctaw Indians. The members of this firm were as different and as far apart in make-up as the north and south poles.

Alinton Telle was a genial, full-blood Choctaw who did not mind pleading guilty to laziness. One day among a crowd of friends, one of them accused him of being lazy and reminded him of the Scriptural admonition to work and earn his bread by the sweat of his face. He replied that he did not believe that God intended for a man to work all the time or He would not have given him so many wonderful and interesting things to think about.

Alinton Telle was reared in the home of his uncle, the late Governor Allen Wright of Boggy Depot who gave him the name of "Telle" — a translation of his full-blood Choctaw name meaning to report or tell. Alinton spoke fluently in pure Choctaw and was considered one of the finest interpreters in the nation. He was a highly educated man bringing with him from an eastern college about all the books they had to offer. He served his nation in many capacities and held the office of national secretary longer than any other member of his tribe.

Telle was an artist with the pen. An official communication of his while acting as national secretary and addressed to the Interior Department at Washington, attracted so much attention that a committee of handwriting experts pronounced it the most perfect example of handwriting they had ever seen. He was interested in many cases that originated in the little courthouse in McAlester. He was one of the best loved members of the tribe, and his life was an inspiration to the youth of the Choctaw Nation.

George Pate, the other member of the firm, was an intermarried citizen, a super-active, nervous white man—a kind seldom born in the south. He was the kind of man that trouble makers considered best to let alone. He was about as nervous and active during his sleep as in the daytime. Once while handling a case in the district court near Wilburton, and following the first day of trial, he worked on his evidence during most of the night. He would lie down, think awhile, get up and begin working on his papers, take another cat-nap and begin again. The next morning while enjoying a breakfast of broiled venison, he told his adversaries that he was ready for them as he had enjoyed a fine night's rest and was rearing to go.

Telle and Pate enjoyed the happiest kind of partnership, but it is beyond human understanding how two men so widely different could carry on an agreeable partnership. Pate found lots of work to do and was a frequent visitor to the little courthouse.

Perhaps the firm of McCurtain and Ainsworth had more to do with the late history of the Choctaw Nation in the practice of their profession than any other two men in the tribe. They had a big practice that originated in the little courthouse on North Main Street in McAlester. In fact, the first case Judge Connors was called upon to try as judge of that court had this firm to represent one of the litigants. As well known to a majority of the people in those times, this firm was composed of Green McCurtain and N. B. Ainsworth ("Dime" Ainsworth as he was known).

This partnership was formed about 1881 and continued for over twenty years during which time the members of the firm in addition to their law practice served their nation in many official capacities. The last of which was to act as members of the Choctaw commission under the Dawes Commission in the final settlement of Choctaw tribal affairs.

This law firm had more practice than they could take care of because of the conditions under which they operated. Mc-

Curtain lived at Sans Bois and Ainsworth at McAlester, over fifty miles apart by messenger on horseback and over twice that distance by the most practical mail route.

Green McCurtain was a member of a family without which no history of the Choctaw Nation can ever be written. They had a large part within its pages. There were three brothers in this famous family, Jack, Edmund and Green, each serving the Choctaw Nation in various official capacities in the order in which their names are mentioned. Each served as principal chief (addressed as Governor) of the nation and for many years the McCurtain government and Choctaw government were synonymous terms. Green spoke Choctaw fluently and was a gifted orator.

The final settlement of affairs with the Dawes Commission, the Choctaws have Green McCurtain to thank more than any other man for the yielding of the government in setting aside many of the iniquitous provisions of the Curtis Act.

"Dime" Ainsworth was a friend to all — a good man to know. He was a big-hearted, kindly man who amassed two fortunes during his lifetime. Both of these he spent lavishly, not in a riotous living, but in helping the needy and promoting the interests of his people. He served his country officially as national agent, national attorney, national auditor and finally as commissioner to help wind up Choctaw tribal affairs.

With the short sketches of the eleven great men who practiced law in the little courthouse on North Main Street, McAlester, the reader has become acquainted with those who helped in no small way to lay the foundation for the State of Oklahoma. When we realize that all these great men have passed away and the little pine-box courthouse within whose walls so many hopes and fears were awakened, is still standing, but moved to a different location — the 6th Ward playground, we are prone to exclaim with the unknown poet, "Oh, why should the spirit of mortals be proud?"

When the United States court was established in South McAlester more than a dozen young men came with it to have their first experience in their chosen profession. The practice of law to those who had never had experience with a large court, it seemed as if some law school had sent us its graduating class.

All of those early-day attorneys have passed away. One earnest painstaking young man at that time was the late W. J. Horton who transacted a lot of business in the new court. He had all the business of the late Colonel J. J. McAlester. Young Horton

was an industrious, hardworking fellow, a gentleman in every sense of the term, and one who gave the impression that he was going to make good. The late Senator Pres Lester was another of the young lawyers who had a lot of business in the little court. The firm of Blair and Lester was employed in several cases by the Choctaw government and found the records of the old Choctaw court a necessary reference field.

Senator Lester afterwards became intimately connected with the public affairs of the Choctaw Nation, serving five years as private secretary to Governor Green McCurtain.

BRITISH ROYALTY CLASHES WITH INDIAN JUSTICE

With all the seriousness ordinarily attached to court trials, there appears sometimes a bit of comedy, too. One trial in particular which was held in the old Tobucksy pine-box courthouse illustrates this. This incident occurred while the late J. P. Connors was judge. We shall let him tell the story:

"Today, while so many pessimists abroad in the land, are prophesying the calamity that is coming to us here and hereafter, I want to tell about the fun we had yesterday.

"One hot summer day in 1874, I climbed out of a dust-covered wagon in the town of McAlester. It was at that time an unincorporated town of less than 200 people.

"I spied a little hotel standing by the side of the road. Some men were working on the roof, and when I got inside I found more men making alterations on the interior.

"The hotel was owned and operated by Mr. and Mrs. Ed Sittel, the parents of Fritz and Frank Sittel.

"After partaking of the noonday meal and noting the neat appearance of the office, I decided to make arrangements to stay a few days to recuperate from a hard summer's work. The little hotel was growing and continued to do so for several years.

"During this time I had become a citizen of the Choctaw Nation and was then serving as County Judge in the little pine-box courthouse on North Main Street.

"One day during the regular term of court the sheriff, Bill Johnston, and the county clerk, John Toole, and I were eating our noon meal at the little hotel, while at another table his Lordship sat surrounded by a bunch of transient guests, in fact, nearly

everyone was transient in those days. The man who stopped more than twice a month at the hotel was a regular boarder.

"We had just casually observed his Lordship up to this time, but had never met him, and his talk attracted our attention. He was entertaining the guests at his table with the information that he had only been away from England three months, had spent two weeks in New York and four weeks in Washington to learn all about the United States. Then he came west to this point to take up his work. He told his listeners that the United States government was surely a poor make-shift, and he found fault with every public office from President to local postmaster. As for our local government — this Indian government, it simply exasperated him. He said that he had read that white people or foreigners who came into the country and were living here had to pay for a permit to live among these Indians and work for a living. He stated that from his observations the Indians should be compelled to learn to work themselves, and should pay the white folks to show them how. He stated that he had represented his company in the diamond fields of South Africa, India, Australia, and in all countries that had ever been under the jurisdiction of Great Britain, and that the natives took orders.

"'But,' said he, 'those blooming savages carry around guns and run the government.'

"As we had finished our meal and were just quietly listening, I could hardly restrain the sheriff, who but for me, would long before have gone over and taken his lordship by the sideburns and given him a good shaking. I told him to wait and our time would come. We went out into the hotel lobby and held a short consultation. We learned from Mrs. Sittel that he had contracted to stay with her six months, and she said she was sorry she had ever bothered with him, that he and his secretary were more trouble than a pair of fussy old maids.

"She recited for us in her delightful German accent the speech she delivered to him when he suggested that he would like to have his meals served in his rooms, for which he was willing to pay extra charges. The substance of her little speech was that meals would be taken to the rooms of any sick person without charge, but any person able to walk to the table would have to do so.

"Having decided on our program, I left the clerk with the sheriff to prevent violence to his Lordshop while I sauntered

leisurely down the road to the little courthouse which was a distance of about two blocks from the hotel.

"The sheriff took his Lordship to one side and informed him that he noticed that he had been here over thirty days and that he would have to take out a permit to wear side whiskers, if he stayed any longer, or be treated as an intruder and be deported out of the Choctaw Nation.

"After recovering from this surprise, his Lordship tried persuasion and every other thing known to his experience on the sheriff, but to no avail. The best compromise he could get out of the sheriff was that he must make application for his permit the next morning, but, in the meantime, he would give him time to talk the matter over with me.

"After the evening meal, I visited his Lordship's room, upon invitation, where I found him surrounded by a quantity of bags that would be the envy of a Hollywood star on her honeymoon.

"After a mutual introduction, he told me about his almost brutal conference with the sheriff, and I, being a man of large and enthusiastic sympathies, won him over at once.

"He told me his pedigree, showed me his commission, passports, etc., all of which were bound around with ribbons and colored lace. He informed me that he was the son of the earl of Goosefeather and his mother was the direct descendant of Lady Hammerston, the first lady in waiting at the court of Queen Elizabeth. He told me a lot of other things, all calculated to give me the impression, which it certainly did, that his first purpose was to astonish the world with his importance.

"His Lordship got serious about the permit business, and told me that we were dealing with the representative of an important firm, a citizen of a great country, and that any indignities shown him would have to be accounted for. He adroitly worked in the information that it might cause war between Great Britain and the United States. I told him we would seriously regret being the cause of plunging these two great countries into bloodshed, but that if it did happen I felt sure that the United States would maintain its historical record by going more than half-way to settle the matter.

"At this point he asked me if it would be agreeable for the secretary to prepare a little stimulant for us. I thanked him and told him I never indulged, which seemed to surprise him a lot.

"In fact, I did not need a stimulant with this scion of nobility sitting before me and the spirit of St. Patrick on one side of the Atlantic and Patrick Henry on the other side and our beloved Pushmataha crying for vindication, I was fully stimulated. I was having a century of fun every minute.

"I told him it was too bad that the sheriff started on him about taking out a permit, but, since he had done so, and it was the sheriff's sworn duty to see that the law be complied with, he would have to get some sort of a permit. I told him I would soften the blow all I could and suggested that he might get out of the side-whisker permit by cutting them off. With a lot of emotion in his mellow voice, he told me he could not do that. I told him if he would, we would give him a permit to represent Queen Victoria in the Choctaw Nation. This delighted him wonderfully, in fact, it made him anxious for a permit, but the side-whiskers had to stay, so I told him to see the sheriff the next morning and fill out an application for a permit to wear side-whiskers in the Choctaw Nation for a period of six months and act as official representative of Queen Victoria. I instructed him to appear in court at the opening time and the permit would be delivered to him upon his paying the Sheriff twenty-five dollars for a permit to wear side-whiskers for a period of six months — for one year the cost would be \$50.00.

"As I bade him good night, he took my toil-hardened paw in his fat royal hand and told me he was glad to meet a man with such broad sympathies as I had.

"While I was having a visit with his lordship, the clerk and the sheriff were calling upon the appreciative citizens of the town and informing them about the proceedings that would take place next morning.

"We had finished the business for the morning and had come to the point of waiting upon his Lordship. Long before time for raising the curtain, it was evident that standing room would be at a premium.

"His Lordship finally got into court with his secretary. I had the sheriff open the court. The crowd was so restless that I had to threaten to have the sheriff clear the courtroom if they did not keep order. There was no more trouble after that.

"I asked the clerk if there was any business and the sheriff came forward and said he had an application for a permit from this gentlemen. He had the clerk read the application. This almost

destroyed good order in the courtroom. Then the clerk noticed that the customary two citizens required to recommend such a petition was lacking. I told the clerk to omit that, and just to swear his Lordship. He held up his big royal hand and the clerk solemnly read:

"You do solemnly swear that you will observe and abide by the laws of the Choctaw Nation while enjoying the privilege accorded to you under this permit, so help you God." And his Lordship answered solemnly, "I do".

"The clerk and I then signed the permit. The clerk folded it, and handed it to the sheriff, who gave it to his Lordship. The secretary gave the twenty-five dollars to the sheriff. His Lordship never performed such menial services as paying bills.

"His Lordship and his secretary solemnly and silently walked out the door, the gate, and up the road to the little hotel. The spirit of St. Patrick, Patrick Henry, and Pushmataha had been vindicated.

"The county officers of Tobucksy County, Choctaw Nation, were satisfied with the day's work.

"That night the sheriff spent the twenty-five dollars giving a little party to a bunch of the blooming savages, who were his best friends."

THE SPIRIT OF HERITAGE HILLS

*By Susanne Wilson Peterson**

PREFACE

Our family set about to find a home when we moved to Oklahoma City thirteen years ago. We were soon attracted to an area just north of the central downtown business district that had shady trees, quietness, and interesting houses — some pretty “grand” and others not so “grand” but quite comfortable and inviting. This seemed a good place to rear a family and we moved into it. Though we were enthusiastic then, we had a real treat in store for us because the longer we were here the more we learned to appreciate it for the “neighborly spirit” of the area. Also, we came to believe that here was a real home center of Oklahoma City. Here had lived many of the true pioneers of the State of Oklahoma and its capital city. It was a good feeling.

This belief motivated my topic and though it was exciting to research when begun, it was quickly realized that most of the folks contacted in this venture were excited over the project. My enthusiasm soared when the Auxiliary of the Historical Preservation, Inc., asked for a copy of the manuscript for its files. Then, also, the Advance Planning Commission of Oklahoma City as well as the Library at the Oklahoma Historical Society wanted copies for their records. It is heartwarming to know that so many others want to share this paper.

Oklahoma is a Great Place to Live and Heritage Hills is a Place to Live with Greatness

There is an area just north of the downtown business district that has recently been given the name of “Heritage Hills.” It is a quiet residential neighborhood of fine old homes, some that are architecturally significant and others that are historically significant. It is a small area, three blocks by fifteen blocks, bounded by Northwest Twenty-Second Street, Walker Avenue, Northwest Sixteenth Street, Classen Boulevard and Northwest Thirteenth Street. The area is closely connected with the history of the State of Oklahoma because many important people have lived here.

It is impossible to cover in detail every notable who has lived

* Susanne Wilson Peterson (Mrs. W. L., Jr.) prepared this paper in the Oklahoma history class under Dr. Eugene Aldrich, in her study course for the M.A. degree in history at Central State College, Edmond, Oklahoma. —Ed.

here, but there is one man whose guiding hand seems to portray the character and spirit of Heritage Hills. That man is Henry Overholser: "His life for the past twenty-three years has been so closely interwoven with the development of the city that his biography is its history and the City's history is his biography."¹

At Fifteenth Street and Hudson Avenue stands a mansion known as the Overholser Mansion. It is a symbol of quiet serenity and a monument to the integrity and dreams of pioneer citizens.²

Henry Overholser was born in Ohio in 1846. At the age of sixteen he and his brothers left home to seek their fortunes. It has been written that the brothers were swinging on the gate in front of the old home place one day when one suggested that they leave home to find their fortune. Perhaps this explains why Henry, at the age of sixteen, shook hands with his brothers and left home for Indiana.³ He was in Sullivan, Indiana, at the birth of his son, Edward Graham McLain Overholser, on June 20, 1869.⁴ Sometime in 1875 he moved to Colorado for an undetermined time, then settled in Ashland, Wisconsin, where he engaged in building and real estate.⁵

Although little is known of Henry Overholser's accomplishments in the first forty-two years of life, there can be little doubt of their substance. There was an abundance of imagination, vision, business acumen, faith and integrity which accompanied him to Oklahoma City on the Run of April 22, 1889, along with ten carloads of pre-cut, pre-finished and ready to assemble building materials consigned to H. Overholser, Oklahoma City Station. Within a month Oklahoma City had thirty business structures, ten two-story and eight of the ten belonged to Mr. Overholser.⁶

He was a man of vision and took it upon himself personally to make Oklahoma City the leading City of the Territory. This was his dream, his aim, and his goal and in every one of these he succeeded. The one theme of his life was to build, to spur people on by his daring and bold actions. He was the main cog in the wheel of progress.

¹ "Overholser, Oklahoma's Grand Old Man," *The Oklahoma Magazine*, Vol. V, No. 1 (May, 1912), pp. 4-5.

² *The Daily Oklahoman*, Aug. 7, 1961, p. 1 d.

³ *Ibid.*, Aug. 27, 1915, p. 2.

⁴ *Ibid.*, April 22, 1964, p. 41.

⁵ *Ibid.*, Aug. 27, 1915, p. 2.

⁶ W. F. Kerr and Ina Gainer, *The Story of Oklahoma City* (Chicago, S. J. Clarke Pub. Co., 1922), p. 616.



HENRY OVERHOLSER

Not only was he a man of business progress, but it took him less than six months to court and marry the lovely eighteen year old Anne Ione Murphy, daughter of Samuel Murphy, a lawyer and the first Territorial Treasurer.⁷

On November 27, 1889, H. Overholser made the first of at least two unsuccessful races for mayor. Briefly his nomination came about in the following manner: Seminole Land and Improvement Company of Topeka, Kansas were "Sooners" whose representatives came out of the weeds an instant after 12:00 on April 22, 1889, and began staking main street and north. The first legal settlers had organized into the Oklahoma Town Company of Colony, Kansas and began arriving from overland about 1:00 p.m. They were distressed to learn that the "Seminole" had jumped the choice area, but began their own survey based on Reno Street. The Seminole survey was incorrect and the Colony survey correct. Thus there were immediate problems in both emotion and geography between the two groups. Another company called "South Oklahoma Group" also entered the area to the south of the Colony Company and numerous individual settlers staked their own lots to the north of the Seminole area.

In order to resolve the hostility between the two groups consisting of the Seminoles (joined by those to the north) and the Colony and South Oklahoma, a mass meeting was called. A "Committee of Fourteen" was elected to conduct a survey and set matters in order. The Committee proceeded with success until it reached Seminole area and was blocked by a show of force. Another mass meeting was held and a Committee of ten was appointed, representing five from each side. However, the Seminoles gained dominance by reason of the chairmanship. The result was continuance of Seminole control of City Government, and the off-set block between Main and Grand Streets as it presently exists.

Over the hot summer, there were many dissenters to Seminole control. These were first called "Kickers" and later to make the antithesis to Seminoles more poetic "Kickers" was modified to "Kickapoos." By August, 1889, the Seminole-Kickapoo War was in full progress. Several *ad hoc* elections were held, but the first true election contest was upon the vacancy by resignation of the Office of Mayor. The Kickapoos nominated Dr. J. A. "Grand Scheme" Beale. One hundred fifty citizens presented

⁷ "Henry Overholser," *The National Cyclopaedia of American Biography* (New York: James T. White & Co., 1920).

H. Overholser with a petition asking him to become a candidate. Although Overholser had an aversion to speaking in public, he accepted. He thus was placed in the position of representing the Seminole group. It is to his tribute that in losing, the margin was but fourteen votes.⁸

The petition of 150 persons requesting Henry Overholser to run for political office testified to his leadership ability. He was the first president of the Chamber of Commerce⁹ then known as the Board of Trade. Undoubtedly the construction of eight two-story structures in less than one month had amazed the less organized citizens. He was within the month the builder supreme of the new city. Likewise his buildings were located generally between the two competing land companies. Buildings must have tenants; Henry Overholser had the space to rent, and merchants knew him so therefore he was the logical one to be elected President of the first Oklahoma City Chamber of Commerce.

Mr. Overholser did not waste any time on a water works system for the City. When Oklahoma City was just a few days old, people had two water sources: the backbreaking job of carrying water from the North Canadian River in buckets or buying a pint of water for five cents from some enterprising person who took over the City's only water well.¹⁰ The idea of building a canal was conceived. This was to dig a canal from the river up into the City but when the canal was dug and filled, the water "sunk" into the sand. This has been called "The Grand Illusion."¹¹ It failed due to poor engineering however it did help the morale of the people and from there H. Overholser organized the forces which gave Oklahoma City its first water works.¹²

Open warfare broke out in a fight for the capital of Oklahoma during the 1889 session of the Territorial Legislature. A bill was introduced providing for the construction of a capitol building at Guthrie. The structure was to be of such magnitude that if the bill passed, Guthrie would certainly become the permanent capital of Oklahoma. Overholser was called into counsel. He made a trip to Guthrie where he took the legislative temperature and

⁸ John Alley, *City Beginnings in Oklahoma Territory* (Norman: Oklahoma University Press, 1929), pp. 29-44.

⁹ "Henry Overholser," *op. cit.*

¹⁰ Lucyl Shirk, *Oklahoma City, Capital of Soonerland* (Oklahoma City Board of Education, 1957), p. 59.

¹¹ Albert McRill. *And Satan Came Also* (Oklahoma City: Britton Publishing Co., 1955), p. 37.

¹² "Henry Overholser," *op. cit.*

wired for an evening meeting of the Chamber of Commerce, then called the Board of Trade. His plan was bold and sudden: to return to Guthrie the next day with \$100,000 cash to lay on the speaker's desk as a gift to the Territory to build the capitol at Oklahoma City.

The boldness of the plan exceeded the capital structure of Oklahoma City's banks (for liquid assets). He did however, return to Guthrie the next morning with \$25,000 cash. It was laid on the speaker's desk with a proposition to forfeit said sum to the Territory if within thirty days after a bill became law authorizing the construction of a capitol building in Oklahoma City an additional \$100,000 was not deposited with the Territory as a building bonus. Needless to say, the dreaded bill lost its viability.¹³

In 1890, Mr. Overholser took into consideration the needs of the families of the pioneers in the realm of entertainment and constructed the pioneer play house of the city. For years it remained the most pretentious theatre in the Territory. It had wooden chairs for seats and drop curtains covered with advertisements. He built the Grand Avenue Hotel shortly after arriving in Oklahoma City. In 1903, he built the magnificent Overholser Opera House on Grand Avenue at a cost of \$108,000, a staggering amount of money in those days.¹⁴ He had come a very long way since the exciting day of the run when he came with his pre-cut lumber.¹⁵ A few years later he erected the Overholser Theatre at the southeast corner of Grand and Robinson.

The Choctaw Railway Company (presently Rock Island R.R.) has had its difficulties with Oklahoma City. It was to be an East West Railway to intersect with existing Santa Fe at a point one and one half blocks north of Main Street. The proposed existence of such a line offered the potential that caused many of the 89'ers to select Oklahoma City as their destination rather than one of the other townsites in Oklahoma Territory. However,

¹³ *Ibid.*

¹⁴ Luther B. Hill, *A History of the State of Oklahoma*, (Chicago: Lewis Pub. Co., 1908), p. 4.

¹⁵ Shirk, *op. cit.*, p. 157. The Opera House built by H. Overholser a few years after Oklahoma Station became a city in 1889, had curtains of bright red calico and stage boxes and beautiful interior decorations that brought opera companies, road shows and vaudeville acts to the House. Sarah Bernhardt agreed to play here just to see "how the raw, crude people lived." After hearing about this remark the city folks put on a campaign to "show Sarah" and turned out in top hats and white ties. After the entertainment she was feted at a party which was the height of splendid appointments and cuisine.



(Photo courtesy of George H. Shirk)

THE HENRY OVERHOLSER RESIDENCE
IN OKLAHOMA CITY, 1903

the track was not in existence in April of 1889. The stakes marking the right-of-way which was filed in accordance with a plat in the office of the Secretary of Interior were trampled under foot by boomers moving to the north of the Seminole Company stakes. Lot owners built buildings on the right-of-way. The Choctaw Railway Company at first threatened ejectment process. The aroused lot owners refused to be intimidated. The Choctaw Railway Company had a simple solution: Remove the encroachments or the Choctaw Railway Company would not build the railroad through Oklahoma City. This conflicted with the fight to make Oklahoma City the capital and the need for transportation to enhance the economy.

An ambiguous settlement was proffered that the Railroad reduce its demanded right-of-way from 300 feet to 100 feet and that the City would buy all claims from the owners. It was resolved that a sum slightly exceeding \$18,000, would be required to buy the claims. At first a bill was introduced in Congress to authorize Oklahoma City to issue bonds not to exceed \$40,000 to purchase the right-of-way. The bill passed but was vetoed by President Harrison. A Committee was formed to raise money for the purchase. Prominent on the committee was H. Overholser.

At a meeting held March 15, 1891, the committee reported that it had collected \$6,503.50 "in cold cash." This left slightly over \$11,000 to be raised. At this point the financial ingenuity of H. Overholser came to the rescue. He suggested that the City issue warrants in an amount sufficient to pay the demands of the lot owners. The warrants were to be retired by earmarking one-half the annual saloon license fees. In order not to embarrass the City's financial condition, the saloon license fees were to be raised from \$250.00 to \$300.00¹⁶ which brought them just under a confiscatory level. To keep the saloon keepers from complaining, the annual saloon fees could be paid one-half in warrants. This had the interesting feature of providing a market for the warrants. Saloon keepers could be expected to buy them at some discounted amount. Warrants were issued in the amount of \$18,000.¹⁷ It worked beautifully and the warrants were called "Choctaw Script."

However, the Choctaw Railroad was concerned lest the script be declared illegal and it suffer the repercussions. At this point, H. Overholser supplied for the first time the indemnity of

¹⁶ McRill, *op. cit.*, pp. 24-25.

¹⁷ Kerr and Gainer, *op. cit.*, p. 621.

progressive citizens as a solution, one which in many instances was honed to a fine edge by Stanley Draper a half century later. Simply stated, many fine citizens executed the "Choctaw Bond" guaranteeing that revenue from the collection of saloon license fees would be sufficient to retire the warrants. Judge Burford said in a public quote, "The signers of the Choctaw Bond will constitute a roll of honor, and every man whose name appears on it will be proud of it." The script sold at a small discount and the roll-of-honor was never financially embarrassed.¹⁸

Perhaps the crowning achievement of Henry Overholser was his part in securing the State Fair for Oklahoma City. Again the years must be rolled back to appreciate the State Fair's background. The first Exposition, held in 1895, was named the "Pumpkin Show" and according to Bo Belcher (promotion manager for the Oklahoma State Fair around 1950) this Exposition was "some pumpkins." People generally preferred to call it the Territorial Exposition. How exciting these Territorial Expositions were! Cash prizes were offered for livestock, pies, cakes, light bread, sofa pillows, chair rests and tidies.

Buggies and wagons rolled in from as far away as Shawnee and El Reno. Visitors — wagon loads of them — arrived with exhibits to place alongside those of the city folk.

A race track was built on the U.S. Army Reservation east of the Santa Fe tracks and on the opening morning of the Exposition, especially on Robinson (Main Street) dust clouds almost obscured the business district.

Those races were surely exciting. Most of the races were "my pony against your pony" and the Indians usually won as their ponies were used to the rough track which was not much better than the prairies with high grass, rough dirt clods and dust.

The last Saturday of the Exposition was usually the day for record attendance as cowboys swarmed in from as far away as 70 to 80 miles.

The Territorial Exposition continued in this fashion until about 1906, at which time the first formal meeting was held in the Chamber of Commerce rooms on January 18th. Through organizing a company by securing stock from citizens, the land was purchased for the Fair. This land was located at about Northeast 10th and Eastern Streets.

¹⁸ *Ibid.*, p. 138.

The location for the grounds was a fight that equalled that of the fight for County seat. It was the poor farm versus the school quarter.¹⁹

After the grounds for the Fair had been secured, Oklahoma City had more trouble and again Henry Overholser came to the rescue. A street car line and paved street to the grounds were needed. However, the owners of the abutting property refused to sanction paying. He bought the lots himself. At this time the street to the Fair Grounds extended across unoccupied and unimproved lands and the paving contractors refused to undertake the work until Mr. H. Overholser himself backed it with a bond pledging his personal fortune. Is it any wonder that this man is looked upon as a "townbuilder" and "Oklahoma's Grand Old Man"?²⁰

In July, 1893, two of the four banks in Oklahoma City closed and a run started on the third bank. Henry Overholser, who was the bondsman of the Territorial Treasurer (his father-in-law) made a trip to Guthrie and returned with \$5,000 in gold and silver coin. This small sum was carried into the bank by the first of four or five men who each carried two heavy sacks. The first two sacks were opened in full view of the long line of depositors and the gold and silver coins rolled out. Luckily the convinced depositors began to disappear. All other sacks were filled with iron washers.²¹

One of the banks later failed and Henry Overholser was appointed receiver. The Judge ordered that the assets be liquidated and the proceeds distributed to depositors prorata. Mr. Overholser suggested that continued operation of the bank would be better. The Judge advised that if this was done Overholser would be personally responsible for the entire loss.

His reply was that if that was all there was to it, the bank would not be liquidated. All deposits were paid and the bank returned to its owners in less than a year with the expense of administration being less than \$1,300.²²

He was elected County Commissioner in 1894, in a time of depression and when county warrants were selling at 40 cents on

¹⁹ Bo Belcher, *History of Oklahoma State Fair* (Oklahoma State Fair Grounds, Oklahoma City, 1950).

²⁰ "Overholser, Oklahoma's Grand Old Man," *op. cit.*

²¹ Joseph B. Thoburn, *A Standard History of Oklahoma* (New York: The American Historical Society, 1916), Vol. II, p. 786.

²² W. F. Kerr and Ina Gainer, *op. cit.*, p. 622.

the dollar. His first act was to forbid the County Treasurer (contrary to law) from redeeming outstanding warrants. He placated holders by advising them that he would solve the problem quickly. This was augmented by the statement that if they sued, it would take two years to come to trial. He then lobbied a bill through the Territorial Legislature that fully funded warrants. This made new warrants sell for near par. It also enabled the County to reduce the tax rate the next year by one-half.²³

Henry Overholser aided and helped finance C. G. Jones in building the railroad from Oklahoma City to Sapulpa. At Sapulpa, it joined the forerunner of the Frisco. This made Oklahoma City the directional cross-roads for rail traffic in the State and secured for all time the center for business activity.²⁴

Everything Henry Overholser built was in advance of its time in relation to the sophistication of the local citizens, but he did this not for personal acclaim but to "set the pace" and to set a goal for the citizens of Oklahoma City — something for them to live up to — a carrot in front of the nose so to speak. And it worked. It worked well. Overholser undoubtedly was the rock-bed foundation of Oklahoma City. Truly he was a townbuilder. His entire effort was to stimulate people to outdo him.

On March 14, 1902, Henry Overholser bought Lots 10, 11 and 12 in Classen's Highland Park Addition and in 1903 engaged Mr. John Mathews, of London, England, to proceed with the building, one which was to be not just adequate, but rather a home that was built for permanence and one that would need no future alteration. Today the "Overholser Mansion" is still standing and has most of the original furnishings that it had when Mr. Overholser engaged a Mr. Henderson, graduate of Kensington Art School, as the interior decorator. At the time the Overholsters built this Victorian Castle (and ushered in the "age of brick") of buff brick and Pecos Valley brown stone, it stood in the middle of a cornfield. People said no one would ever get out "that far." The home has 20 rooms in addition to bathrooms, closets, and nooks of which there were about 30.²⁵ Nevertheless, in the spring of 1904, when the Overholsters entertained with the most lavish reception the Territory had ever seen, the guest list read like a "Who's Who" in Oklahoma, and there was scarcely

²³ *Ibid.*

²⁴ Hill, *op. cit.*, p. 1.

²⁵ Mrs. N. L. Phillips, "Henry Overholser Home," in Building File of Library, Oklahoma Historical Society.

a carriage and team of horses in town that did not show up for the party.²⁶

The youngsters were entertained at this fabulous reception in the third floor ballroom with lemonade and ragtime music from gramophone records.²⁷ West of the home was a carriage house that would house ten carriages. It is now used as servants quarters and garage. As stately as the mansion was, Henry Overholser said he had built it only to inspire others.

Edward Overholser, his son, had come to Oklahoma City in 1890 and immediately plunged into taking part in his father's business affairs. In fact, he was manager of the Overholser Theatre and later received this as a gift from his father.²⁸ With Edward taking hold and proceeding with things his father had started, this left more time for Henry to dedicate his time to affairs that were dear to his heart like the State Fair. He was on the Executive Board when the fair was first started in 1906 and then in about 1910 when the Lee-Huckins Hotel was advertising as the "Leading Hotel—10 stories of solid comfort—with hot and cold water and local and long distance telephone in every room"²⁹ Henry Overholser was made manager of the Fair for the 1910 Exposition. Chief feature of the Fair's entertainment program was to be the first flight of an airplane over Oklahoma City. The newspaper story of the thrilling feature follows:³⁰

A contract was drawn between the Fair Association and Charles J. Strobel of Toledo which gives the public a rock-ribbed guarantee of a bonafide flight, one that will give the safest imaginable insurance that the machine will soar and sail away and like a huge bird encircle some of the tallest sky scrapers in the downtown district and return to the fair grounds to alight within a few feet of its sailing space.

The Strobel device is a dirigible airship similar to those used in the Japanese Russian War.

The 1911 Premium Book gives the interesting price of admission to the Fair as:

- 2 horse carriage or wagon, 25 cents
- 2 horse buggy, 25 cents
- 1 horse buggy, 25 cents

²⁶ *The Daily Oklahoman*, April 1, 1904, p. 8.

²⁷ *Ibid.*, Aug. 7, 1960, p. 2 d.

²⁸ *Oklahoma City Times*, April 21, 1931—Lake Overholser was named for Edward. *The Times* stated on September 30, 1927, that once H. Overholser reprimanded Ed by telling him he was "not the son to be expected of Henry Overholser. From that time on Ed started out to do things his father had done and more.

²⁹ Bo Belcher, *op. cit.*

³⁰ *Ibid.*

1 horse, 25 cents

For each person whether in carriage, on horse or on foot, 50 cents.

Children under 12 years of age and over 6, 25 cents

Night gate admission after six o'clock p.m. is free and
grandstand admission, 25 cents

Horse show general admission, 25 cents

Single or double team or automobile and 1 person for
entire Fair and Exposition, \$5.00

With his management of the Fair such a success and it having taken so much energy upon his part, Henry Overholser with his wife and daughter, Henry Ione, traveled extensively in Europe in 1911. It must have been upon his return trip that H. Overholser was felled by a paralytic stroke.³¹ He was at home for the next four years, an invalid, until his death August 25, 1915.

Flags were flown at half mast as a mark of respect to this man. Business houses were closed from the hours of 3 to 4 o'clock during the funeral hour, on Friday, August 27, 1915. Funeral services were conducted from his home at the corner of 15th Street and Hudson Avenue.

Some of the prominent citizens and intimate friends listed as pallbearers were Anton H. Classen, C. F. Colcord, Wm. J. Pettee, and John Shartel. Interment was at Fairlawn cemetery.³²

Surviving Henry Overholser was his widow, Mrs. Anne Ione Overholser, a son, Mayor Ed Overholser,³³ a daughter Mrs.

³¹ *The Daily Oklahoman*, August 27, 1915 — He was one of 13 children, twelve boys and one girl. Of his eleven brothers and one sister, Henry Overholser was to survive all but one brother and his sister. Truth does seem stranger than fiction because everyone of them died as a result of paralytic strokes as did Mr. Overholser and Mrs. Steel, his sister, at the time of H. Overholser's death was confined to her home, a hopeless invalid, suffering from paralysis. *The Daily Oklahoman*, April 4, 1931, indicated Edward Overholser died of acute stomach trouble. No mention of Henry Ione Overholser Perry's cause of death, or in fact any newspaper account, has been found at the writing of this article.

³² *Ibid.*

³³ *The National Cyclopaedia of American Biography*, p. 24, states Anne Ione Murphy Overholser and Henry had three children: Edward, mayor of Oklahoma City; Queen, wife of George Pirtle, Eldorado, Kansas, and Henry Ione Overholser. This is in error since we know Edward was born in 1869 and it is reasonable to assume that if Ione Murphy was 18 when she and Henry Overholser married in October of 1889, that it would be quite unlikely she would have a married daughter (Mrs. Pirtle). It might be reasonable to assume that since Edward Overholser, according to *The Daily Oklahoman* (4-22-64) attended a Catholic Mission School in Osage, Kansas, for two years, then Lawrence University for four years until he finished and came to Oklahoma City in 1890, Mrs. Pirtle was probably an older sister by Henry Overholser's first marriage.

Queen Pirtle of Eldorado, Kansas, and a daughter, Miss Henry Ione Overholser of Oklahoma City.

Though today the Henry Overholser home is considered a monument to the integrity and dreams of pioneer citizens, there are other homes of historical and architectural significance as well as homes of Oklahoma notables in the area.

On the corner of Northwest Eighteenth Street and Hudson Avenue (327 N.W. 18th Street) stands a house that was once the residence of Governor Robert S. Kerr who later became U. S. Senator Robert S. Kerr. Kerr was preeminently the one man of his time who devoted every effort to advertise Oklahoma and create a good image nationwide of the state. However, this home is better known by residents of the area as the scene of the sensational 1933 kidnapping of Charles F. Urschel by Machine Gun Kelley. Urschel, a trustee in Tom Slick's estate, had married Slick's widow.³⁴ Slick was known as "King of the Wildcatters" and was the largest independent oil operator in the world before his death in 1930. Kidnapped Urschel was finally released unharmed and through his cunningness helped Federal officers apprehend Kelley. It has been told by some residents of the area that during his capture, Urschel was taken to a small farmhouse blindfolded. Each day he made a mental note of the time he heard an airplane go over. When released, officials estimated the location of the hide-away by his time reference. Because of this kidnapping, a home at 825 N.W. 15th has double locks on all the doors and the bedrooms can all be entered without going into the hall.³⁵

C. B. Ames completed his home in the area in 1911. He appears to have been a strong worker for Statehood. He wrote the platform of the 1900 Territorial Democratic Convention and committed the party to the entry of Oklahoma and Indian Territory as one state. In 1906, he was a leader in accomplishing this goal when he served on the statehood delegation to Washington. Ames built his house at 401 Northwest 14th Street.³⁶

Across the street, at 327 Northwest 14th Street, is a red brick house that at one time belonged to Samuel W. Hayes. He was a member of the State's Constitutional Convention, was one

³⁴ *Oklahoma City Times*, October 23, 1969, p. 22.

³⁵ *Historical Preservation Commission Documentation* (Oklahoma City Planning Commission, 1967).

³⁶ *Oklahoma Journal*, April 8, 1969, p. 6.

of the first members of the State Supreme Court and soon became Supreme Court Justice.³⁷

The founder of *The Guthrie Daily Leader* in 1889, and former president of the State Bar Association was also a neighbor. His name was Roy Hoffman. He became commander of Ft. Sill, Oklahoma, in 1917 after an illustrious military career.³⁸ Though the house is not one of the oldest in the area, it is a beautiful example of Spanish architecture. It is located at 1414 North Hudson.

Oklahoma City Mayor John D. Walton lived in a house in the area that is an excellent example of "Mediterranean" architecture. Walton later was elected and served as the fifth Governor for a short time but was impeached by the State Legislature and removed from office.³⁹

M. E. Trapp, Sixth Governor of the State of Oklahoma, lived in the area in 1939. Marion Cruce, the grandson of Lee Cruce, second Governor of the State of Oklahoma, lives at 300 Northwest 20th Street.⁴⁰ At one time a home now owned by Mrs. Moss Patterson which stands at Nineteenth Street and Hudson Avenue (400 N.W. 19th Street) was the temporary Governor's Mansion when J. Howard Edmondson was elected 16th Governor of the State of Oklahoma. The Edmondson family lived there while the permanent Governor's Mansion near the Capitol was being redecorated.⁴¹

The Moss Patterson family has an interesting background. Moss Patterson was an early day pioneer in aviation and successful businessman in the City. He was the First Wing Commander of the Civil Air Patrol of this area and founded the Oklahoma Aviation Club in 1934. The following year Mrs. Patterson was

³⁷ *Oklahoma City Times*, June 14, 1968, p. 7.

³⁸ W. F. Kerr and Ina Gainer, *op. cit.*, p. 101.

³⁹ Personal interview with Mrs. Wm. K. Veazey (present owner of home) has been told that Governor Walton's office was in a small enclosed room on the back porch. She now uses this as a sewing room. At one time men with machine guns stood guard outside the office to protect the governor.

⁴⁰ *Historical Preservation Commission Documentation*

⁴¹ In about 1920, this house was built as the model electric home of Oklahoma City. It featured three way light switches (a switch at each room entrance) a shower with spickets from top to bottom in shower stall, a slate roof, two cisterns and a water well in the basement.

the President of the Women's National Aeronautical Association.⁴²

Joseph Huckins, who erected his home on Hudson Avenue in the area, was the owner of the Huckins Hotel on North Broadway that was the temporary location of Governor Haskell's office and other State offices when the capital was moved to Oklahoma City from Guthrie in 1910. The Huckins home still standing on the original site (401 Northwest 16th Street) is well-built and a fine example of engineering. Corporation Commissioner and Mrs. Charles Nesbitt are the present owners.

The Historical Preservation Commission Documentation also shows that the Heritage Hills area was the home of Dr. A. C. Scott in 1917. Dr. Scott, attorney and business man, came to Oklahoma City at the time of the run in 1889, and was the founder with his brother of *The Oklahoma City Journal* in May of this year. Dr. Scott was elected President of Oklahoma A. & M. College at Stillwater, by the Territorial Board of Agriculture in 1899 and served until 1908, during which time he pioneered many academic changes in higher education emphasizing both liberal arts and science in this institution that is now known as the Oklahoma State University. Dr. Charles Evans, also well known in the Oklahoma educational field had his home in the area in 1922. He had served as President of Central Normal School (now Central State College) at Edmond, and was Secretary of the Oklahoma Historical Society during a ten-year period to 1955. Another prominent resident of this Oklahoma City area was W. J. Pettee, an 89'er, who hung out his sign saying "Pettee's Hardware" downtown on Main Street one day after the run of 1889.

In 1928, the British-American Petroleum Company drilled one of its most important wells. They called it the "Mary Green No. 1". This was the first discovery well on the State Capitol grounds. Mrs. Green, a resident of the area at 419 N.W. 21st Street for almost 50 years, owned the property where this well was "brought in" and thus it was so named. The oil well received national publicity and Mrs. Green received letters from all over the United States. The "Mary Green No. 1" was located at Northeast 23rd Street and Kelley.⁴³

⁴² Personal interview with Mrs. Moss Patterson, 400 N.W. 19th Street.

^{42a} Philip R. Rulon, "Angelo Cyrus Scott: Leader in Higher Education, Oklahoma Territory," *The Chronicles of Oklahoma*, Vol. XLVII, No. 1 (Spring, 1969), pp. 498-514.

⁴³ Personal interview with Mrs. Mary Green, 419 N.W. 19th Street.

One of the first airplane bungalows in Oklahoma City was built in the area. The airplane bungalow is a two story house with the second story comprised of one room with many windows, thus resembling the cockpit of an airplane with the idea that this would make for comfort in the summer in the cool air. The appearance of this house looked like that of an airplane. The home in 1920 belonged to Merle Simmons who was owner of the Simmons Home Bakery, the largest in Oklahoma City at that time (301 Northwest 21st Street).⁴⁴

Now comes the "true grit" of why Historical Preservation, Inc. was formed. The people who lived in the residential area as well as citizens of Oklahoma City and the State of Oklahoma, were dismayed and awed by the razing of the once stately Colcord Mansion at 421 Northwest 13th Street.⁴⁵ It, along with the Overholser Mansion, had been an Oklahoma City showplace since its construction in 1901. A modern office building for an insurance company that bought the mansion site in 1951 was constructed on the site of this old home, a replica of the Kentucky Plantation home where Colcord had grown up. "Through every loss comes a gain," it is said, and perhaps the razing of the Colcord mansion had its place. Because the people of the area and the City rose up in arms when they awoke to the fact that unless something was done to prevent the encroachment of businesses upon this area, there would be nothing to show our children — nothing of the heritage that the bold, farsighted and daring pioneers of early Oklahoma City had envisioned.

In 1969, after several years of planning, Mayor George Shirk was initially responsible for the appointment of a committee to look into the history of the area, and *Historical Preservation, Inc.*, was organized and incorporated. City citizens felt that the area had a prominent place in history and is a significant part of Oklahoma City as it is known today. The architectural styles of many of the old homes gives the area a unique architectural character not generally found elsewhere in the City and these individualistic styles are characteristic of the rugged people who pioneered the development of Oklahoma City.

Historical Preservation, Inc., was organized with the direction and encouragement of Mayor Shirk and with the enthusiastic support of other interested citizens. After many meetings, passing of ordinances and legal channels completed, *Historical*

⁴⁴ *Historical Preservation Commission Documentation*

⁴⁵ *The Daily Oklahoman*, January 8, 1965.

Preservation, Inc. became a reality. Things then moved quickly with Dr. O. Alton Watson, Mr. John Dudley, and Mr. Charles Coley at the helm of an able Board of Trustees and Mrs. O. Alton Watson as President of the Ladies Auxiliary.

One of the Board's first projects was to conduct a contest to find an appropriate name for the area. The winning name was *Heritage Hills*.⁴⁶ What a joy this would have been to men like Henry Overholser. Surely the work he did and his vision has come through to some people!

Communities all over America seem to be re-discovering themselves and though Oklahoma City is just eighty-one years old we, too, are in the swing of things.

More and more young families are moving back into the area for the suburbs are not what they used to be. People moved to get away from the crowd and now the crowd is in the suburbs. People are moving back to town where the tall trees are nature's way of taking care of air pollution. Many doctors like this area because of its proximity to many of the City's hospitals. Businessmen enjoy the short time it takes to drive or walk to their business offices. There are adequate shopping centers close-by and a trip downtown is an easy outing.

The schools of the area are enduring and good schools and they in themselves represent the rugged endurance of pioneer spirit. According to the *Memory Book* presented to guests at the Founders Day 50th Anniversary, 1969, a day which many prominent people from city and state attended, Woodrow Wilson Grade School, between 21st Street and 22nd Street at Walker Avenue, achieved national fame during World War II when in 1942-43, it outsold every school in the nation with a total of \$1,069.00 in War Bonds. In 1969, there were two merit scholar finalists who had gone all six years to Wilson Grade School and here they received their foundation.

Records on file in the principal's office at Central Junior High School indicate that it was first known as "Oklahoma High School" located at 313 West California Street in 1892. The next

⁴⁶ Interview with Mrs. Marjorie Tolle, committee chairman to conduct the name contest, said the winner was Mr. & Mrs. Darwin Maurer who are residents of the area. They were awarded the prize of \$200.00 for the winning name *Heritage Hills*. Several entrants entered this name, but the Maurer's was the earliest postmark. Second place was *Heritage Manor* and third was *The Heritage Area*. The committee was composed of several business people representing the entire City.

year the school was moved to a new location on Third and Walnut. The first session of Central High School was held in the present building on North Robinson and 7th Street in 1910. At that time the new building was not completed and workmen were still here. Central High School (now a Junior High School) was the first handsome, fully equipped high school here, the pride of Oklahoma City. The list of alumni from Central includes the names of many prominent Oklahomans in the state including the late Helen Ferris, outstanding teacher of English; United States Senator Mike Monroney, Congressman John Jarman and Ex-Mayor George H. Shirk.

Pupils from Wilson Grade School entering high school attended Classen High School built in 1920-21. It can be said of all three schools — Central, Classen and Webster — that no other three in this city have gone through such major upheavals and come out with such dignity and scholastic excellence. They have undergone successful integration and have in fact been pioneer schools in this struggle for desegregation. Central and Classen have been changed from high school to junior high school and vice versa, in the last three years.

The area of Heritage Hills is very much as it was at the turn of the century. However, there are houses in the area that are run down and not of architectural or historical significance. The Board of Trustees of the Historical Preservation, Inc., may consider buying some of these places and razing them. The plots on which such houses stand could be incorporated into parks and playgrounds in the area.

The City of Oklahoma City has promoted plans for the preservation of the Overholser Mansion, too. *The Daily Oklahoman* not long ago (October 19, 1968) reported:

The Overholser mansion, once the scene of Oklahoma City's finest entertaining and most elegant events, may resume that storied role, it appeared Friday.

Several groups and individuals are interested in the possibility of purchasing the Victorian mansion, 405 N.W. 15th Street, for use as an official Oklahoma City "state residence."

Although no one would live in the home, it would be used for official entertaining and functions.

Now that a *Historical Preservation, Inc.* has become a corporate reality, the purchase of the Mansion as an official "state residence" is possible. This will go far to preserve the district of Heritage Hills and will also be a symbol of the dreams as well as

a tribute to the accomplishments of men like Henry Overholser in the early days of Oklahoma City.

This fine heritage is tangible evidence that can be shown our children and explained as the way the pioneers proceeded in building a town, then a city, then a state. Thus, their ideals, their minds and their talents may be stimulated to make their contribution to our great State and Nation.

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Mrs. Frances Young, Secretary, Oklahoma State Fair

MEDICAL PRACTICES AND HEALTH IN THE CHOCTAW NATION, 1831-1885

By Virginia R. Allen*

*I know not how long I shall live; I want to see
the good work before I die . . . We wish to follow
the ways of the white people.*

—The Indian Advocate¹

Hoolatahooma, chief of the Six Towns division of the Choctaw tribe, expressed this desire a decade before their removal to Indian Territory. His plea for help, accompanied by the first printed laws of the Choctaw people, was sent to the "Society of good people, who send missionaries to the Choctaws."² Choctaw leaders had begun to realize that their only hope for survival in a land increasingly dominated by white people was to adopt and adapt their ways. This means ultimately to adopt white medicine also.

The white man introduced many woes to the American aborigines. Silently accompanying him as he advanced across the wilderness was an adversary which was as deadly to the Indian as the white man's gun. Living on an isolated, uncrowded continent for thousands of years, the Indian had no experience with diseases common to European immigrants and therefore had no natural immunity. The results were often devastating.

Disease and medical practice have been significant factors many times in shaping history. For the Mandan Indians, a smallpox epidemic became a catastrophe which destroyed them. Although medicine is a biological science, it is also a social science and its development is closely interwoven with social, cultural, and economic progress. Medical practices of the Choctaws in Indian Territory reflected the personal conflicts which arose as they attempted to adopt new ways while still emotionally bound to the old. Choctaw medicine became a unique blend of the traditional and the new, with the ratio of the two varying in proportion to educational and cultural development.

* The author is a former graduate student of Dr. LeRoy H. Fischer, Professor of History and Civil War era specialist at Oklahoma State University. This article was written while Mrs. Allen was a member of Dr. Fischer's research seminar. —Ed.

¹ The *Indian Advocate* quoted by Grant Foreman in *The Five Civilized Tribes* (Norman: University of Oklahoma Press, 1934), p. 20.

² *Ibid.*

The Choctaw "Trail of Tears" from Mississippi to Indian Territory began in 1831, with the main removals continuing through 1834. The trip of 550 miles passed through unsettled country of dense forests, swamps, thick canebrakes, and swollen rivers. The suffering, caused by the mistakes and inefficiency of the War Department combined with one of the region's worst blizzards in history, was indescribable. Wagons were in short supply and many roads became impassable except by foot. Inadequate clothing and supplies caused great suffering and sickness. Choctaw Agent William S. Colquhoun at Vicksburg, Mississippi, reported that a party arrived there after marching nearly naked and barefooted through the sleet and snow for twenty-four hours.³ Colquhoun also stated that an error had thrown together three groups of Choctaws, a total of 2300, which were intended to travel separately. Transportation problems became critical as did the weather. Of the Indians' plight, Colquhoun said: "Their situation is distressing and must get worse, they are often very naked and few moccasins are seen amongst them."⁴

A party of 2,500 Choctaws traveling by steamboat were disembarked at Arkansas Post and kept in open camps throughout the worst of the blizzard. Many had to remain for weeks awaiting horses which were being driven overland from Louisiana. Respiratory diseases and other illnesses which resulted from exposure and shortage of food took a heavy toll of the emigrants.

Provisions and preparations for the continuing migration in 1832 were improved, but a cholera epidemic brought new tragedy to the Indians. The disease which had been gradually creeping westward from India since 1816 reached New Orleans in January, 1832.⁵ Along the rivers, steamboats left their dead at every landing. Fear of the cholera had a demoralizing effect and alarmed both the Indians and their agents. Cholera broke out on a boatload of Choctaws nearing Memphis, a transfer station on the Mississippi River, and sickness and death became constant companions. Many panic-stricken women and children refused to board another steamboat. They were ferried across the river and

³ William S. Colquhoun to Brigadier General George Gibson, December 10, 1831, Grant Foreman, ed., letters from the office of the Commissioner of Indian Affairs (typescript 7 vols.), Vol. I, p. 141, Indian Archives Division, Oklahoma Historical Society, Oklahoma City.

⁴ *Ibid.*

⁵ Madge E. Pickard and R. Carlyle Buley, *The Midwest Pioneer: His Ills, Cures and Doctors* (Crawfordsville, Indiana: R. E. Banta, 1945), pp. 24-25; Rodney Glisan, *Journal of Army Life* (San Francisco: A. L. Bancroft and Company, 1874), p. 24.

continued the journey by land. Incessant rains had made many roads through the swamp impassable, and some of the emigrants traveled thirty miles knee to waist deep in water. All of the emigrants experienced great suffering and illness due to exposure and cold.

Some of the Choctaws who were traveling under the supervision of the War Department were accompanied by physicians. on the steamboat *Reindeer* in November of 1832, Doctor John T. Fulton and a Doctor Rayburn, government agents, reported twelve deaths in three days in a party of 445 Choctaws. The doctors disagreed, however, as to whether or not all of the deaths were caused by cholera, for which they knew no effective treatment.⁶ Assistant Superintendent A. S. Langham reported: "This disease has caused so great and so general a panic that the consequences cannot be calculated — seventeen teamsters . . . have left. Three of the hired wagons and teams have gone."⁷

The Reverend Cyrus Byington, who was a missionary among the Choctaws before removal and who traveled with them, estimated that at the time of removal there were 40,000 Choctaws, of whom 6,000 died during migration.⁸ The losses incurred because of the appalling circumstances encountered during the removal permanently decreased the population of the tribe.⁹ The health of the Indians in their new home was affected for some time by the rigors of the trip.

The Choctaws under the guidance of concerned missionaries had made great progress culturally and educationally prior to their removal to Indian Territory. Their culture was a mixture of traditional Choctaw customs and newly adopted methods and beliefs. The less educated and older members of the tribe continued the old traditions and beliefs into the twentieth century and many others retained a mixture of the old and the new. The traditional Indian doctor, called *alikchi* in Choctaw, journeyed to the new home also. The term, "medicine man," has been used indiscriminately by the white man, usually with the connotation of a meaningless magician. The Choctaw "medicine man" by

⁶ A. S. Langham to Brigadier General George Gibson, October 31, 1831, Foreman, ed., *Commissioner of Indian Affairs*, Vol. III, p. 164.

⁷ *Ibid.*

⁸ Cyrus Byington quoted by H. B. Cushman in *History of Choctaw, Chickasaw, and Natchez Indians* (Greenville, Texas: Headlight Printing House, 1899), p. 42.

⁹ Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman: University of Oklahoma Press, 1934), p. 56.

contrast, was believed to possess an insight into the hidden laws of nature and a power over the elements, the fish of the waters, and the animals of the land; in a sense he was a spiritual leader. He could give bravery to the heart of a warrior, and skill and strength to his arms; he could rout the evil spirits of disease from the bodies of the sick.¹⁰ Though he may not have possessed supernatural powers, he was skillful at making his people believe that he did. The medicine man's practices, though primitive, were an attempt to control and interpret natural phenomena which he did not understand. Considered in this context, the medicine man was a step forward in Choctaw medical and intellectual progress.

The Choctaw *alikchi* employed the supernatural with herbal remedies and special treatments. Many of his practices were no more primitive than the ministrations of some of his contemporary white physicians. Middle nineteenth century medicine in America was less science than it was an art or craft. When faced with many infectious diseases, physicians were as helpless as the *alikchi*. They could set broken bones, extract bullets, sew up wounds, amputate limbs, and do limited surgery, but they were ineffective against the contagious diseases. They had learned through trial and error, just as the *alikchi* had, to administer a few drugs and herbs. For most illnesses, like the Choctaw doctor, they could treat only the symptoms, and in the end nature killed or cured the patient.

When the Choctaw *alikchi* was called in to treat a patient, he did not take his medicines with him. He would first see the patient, make a diagnosis, and then decide if he could help. If he decided in the affirmative, he went immediately to the woods to gather the proper roots or herbs for the patient. After the *alikchi* prepared the medicines, he stayed with the patient until he either recovered or died. If his diagnosis indicated that he could not help the sick Indian, he would tell the relatives and make no effort to treat the patient.¹¹

There was a tendency among the more primitive and less scrupulous *alikchi* to place the blame for a patient's death on another person. Frequently, the bereaved relatives killed the accused. They believed that the illness was caused by an evil

¹⁰ Cushman, *History of the Choctaw, Chickasaw, and Natchez Indians*, p. 172.

¹¹ Grant Foreman, ed., "Sampson Collin," *Indian-Pioneer Papers* (typescript, 112 vols.), Vol. II, pp. 177-178, Indian Archives Division, Oklahoma Historical Society.

spirit, and that it was important to drive away the spirit by killing the person whose body housed the spirit. Sometimes ceremonies were used to determine the offending witch and occasionally the *alickhi* merely accused someone. Often dances and ceremonies were used to drive out evil spirits. If the patient recovered, the doctor took credit, but if he died the doctor said he was possessed of too many evil spirits. The validity of these beliefs had been questioned by the more progressive Choctaws before they came to Indian Territory, and they had passed laws granting a person accused of witchcraft the right of a trial. However, the verdict of the court sometimes concurred that the accused was a witch and should be executed.

The extraction of witchballs was a customary Choctaw medical practice. The theory, that disease was caused by something secretly thrown into the patient's body by a witch, resulted in attempts to remove the object. The witchball had to be extracted from the patient by some type of powerful suction; the mouth of the doctor made a convenient place to keep the ball until the proper time to "extract" it. Sometimes other more complicated methods were employed. One young Choctaw woman, paralyzed from the hips down, was taken by her husband to a woman practitioner. After conducting a special ceremony for four consecutive days, the doctor removed from an iron pot, which had been part of the ceremony, a red flannel string tied in many knots. The doctor explained that the string had been between the woman's hips and had kept her from walking. She instructed the woman to move from the neighborhood in which the couple lived to prevent being bewitched again. The young wife, believing herself to be cured, walked away.¹²

An object of great traditional importance and meaning in the Indian's life was the medicine bag. Constructed from skins of mammals, birds, or reptiles, it was ornamented and religiously sealed. Each warrior retreated into the woods for several days of fasting and meditation while gathering the contents of his bag. The bag was carried throughout the Indian's life for good luck, strength in battle, and the assurance that in death he would be watched over by his guardian spirit. The bag was always placed in the grave with him. A tribal medicine bag was also maintained, and its special medicines and treatments were passed on in secret. Its contents were considered sacred, and if they became known to

¹² *Ibid.*, p. 343.

anyone other than the head medicine man or tribal chief, they became powerless.

Some Choctaw *alickchi* were skillful with the use of herbs and other medical treatments and gradually adopted parts of the white man's medicine. They had a wide knowledge of the medicinal properties of leaves, bark, and roots of plants which were common on the prairies and in the woodlands. Mortars and pestles for pulverizing and mixing medicinal materials were made from gum-tree wood since it did not rot or split.¹³ Specific Choctaw remedies were:

1. *Boneset*: when made into a tea it was used to break chills.
2. *Burn weed*: hot tea made of the stalk and leaves caused sweats and was used to break chills.
3. *Blackroot*: the roots were made into a tea and given as a purgative.¹⁴
4. *Rusty water*: chains were allowed to stand a few days in water, the rusty water was then used as an iron tonic.¹⁵
5. *Broom weed*: tea made from the root was used for colds and considered to be a preventive of pneumonia if taken in time.
6. *Black root* and *ball willow*: for measles and smallpox.
7. *Blood weed*: for purifying the blood.
8. *Sugar, soot, and spider web*: applied to stop bleeding.¹⁶
9. *Jerusalem oak* or *wormseed*: made into a type of candy to give children for worms.
10. *Scurvy grass*: used as a cleanser for the teeth.
11. *Pink root*: when combined with just enough whiskey to preserve it, it was used as a system builder.
12. *Mayapple*: the fruit was given to children as a purgative; the root powdered, then boiled down with water and mixed with whiskey was said to "tear out" the cold.
13. *Wild cherry*: considered good for young girls; it was sometimes made into cherry wine and used to stop pain; in quantities it was supposed to purify the blood.
14. *Prickly ash*: a piece of the bark was held in a tooth cavity to stop the toothache, or powdered and made into a poultice.
15. *Modoc weed* or *yellow root*: the root was boiled in water and taken with whiskey for weak stomach, fainting, and upset nerves.

¹³ "Bafra Alice Dobbs," *ibid.*, Vol. XXII, p. 294.

¹⁴ "Susan G. Maxey," *ibid.*, Vol. VI, p. 460.

¹⁵ "Emeziah Bohanon," *ibid.*, Vol. I, p. 171.

¹⁶ "Sampson Collin," *ibid.*, Vol II, p. 308.

16. *Pottage pea*: its onion-like root was used for diarrhea.
17. *Goldenrod* and the *puccoon root*: were not used by the Choctaws, but sold to whites for medicinal purposes.¹⁷
18. *Persimmons*: when sun-dried and mixed with a light kind of bread, it was used to control diarrhea.
19. *Ground ivy*: when made into poultices, it was used for treating sores.
20. *Rattlesnake's master*: a root used in making a poultice to be applied to snakebite; the root was also chewed by the patient.¹⁸
21. *Sycamore bark*: when boiled in water and sweetened with sugar, it was given in tablespoon doses for coughs.
22. *Slippery elm*: when combined with new milk, it was used as a wash to soothe the pain of burns.¹⁹

Little Blue Hen, the wife of Ezekiel Roebuck, who came to Indian Territory in the first removal, had a remedy for skin cancer which was passed down through several generations. She made a salve from equal parts of honey, butter, and the juice of the green vines and leaves of the pole bean. The ingredients were steamed slowly together until the mixture formed a soft salve. Persons using the cancer cure were to refrain from the use of alcoholic beverages, fat meats, any oil, and the drinking of any liquids except water, buttermilk, or the liquid from boiled corn. A testimonial to its effectiveness was made as late as 1937.²⁰

The Choctaws believed that roots were purer in the fall of the year. A sufficient supply of roots, herbs, and barks were gathered for the winter at the proper state of maturity and were hung in the house.²¹

The Choctaw doctors practiced bloodletting, cupping, cold and warm baths, and cauterization. Bloodletting and cupping were common practices among nineteenth century white physi-

¹⁷ John R. Swanton, "Source Material for the Social and Ceremonial Life of the Choctaw Indians," *Bulletin 103* (Washington, D. C.: United States Government Printing Office, 1931), pp. 237-238, Bureau of American Ethnology, Smithsonian Institution.

¹⁸ Cushman, *History of the Choctaw, Chickasaw, and Natchez Indians*, pp. 118-119.

¹⁹ Cyrus Byington, *Diary* (typescript), July 22, 1862, p. 70, Indian Archives Division, Oklahoma Historical Society.

²⁰ "Josephine Uray Lattimore," *Indian-Pioneer Papers*, Vol. XXXIII, p. 57. Field worker Amelia Harris (W.P.A.) who reported this interview October 13, 1937 said: "I know of one person who was cured by this remedy of external cancer when her nose was half eaten off. I witnessed this cure."

²¹ *Ibid.*, Vol. VII, p. 551; Swanton, *op. cit.*, p. 237.

ans. "In many of the healing arts, . . ." one research authority believed, the Indian doctors "fell not so far below those of the white race as might be supposed" ²² Rheumatism, neuralgia, and headaches were treated by cupping and bloodletting. A cow's horn was commonly used to make the vacuum necessary for the cupping process. A piece of glass was used to either scratch or puncture the patient's skin. The *alikchi* placed the wide end of the horn over the wound and by sucking the smaller end, he drew blood to relieve the patient of "poisons." ²³

Cauterizing was done, not by chemical agents, but by the use of fire applied to a lesion with a burning punk. For the treatment of some fevers, steam was used either in a common sweat house or by an individual sweat bath. For this special treatment, a pot of boiling water containing herbs was placed in a hole. Planks were placed across the hole for the patient to lie on, and a blanket was placed over him to trap the steam. Casts for broken limbs were made from a paste of clay which was applied around the break and wrapped in cloth, and then placed in wooden splints. To help prevent fever and swelling, the cast was kept damp with cold water. ²⁴ The steam of boiling cottonwood roots was used to treat sockets out of joint. After four days of this treatment, repeated four times each day, the joint was supposed to slip back into place. ²⁵ The *alikchi* knew how to use pillows to make patients more comfortable and to improve circulation in the limbs by elevation.

A Choctaw child was often born under the trees with little ceremony and later carried into the house by the mother. ²⁶ Indian midwives attended many births, but white physicians ordinarily were not called except when complications arose. ²⁷ Although the birth rate was high, the infant mortality rate was extremely high as well, and this partially explained the stationary population of the Choctaws. ²⁸

The Choctaws never recovered the loss of population which resulted from the disastrous migration and the hardships of settlement in their new territory. Not realizing the capriciousness

²² *Ibid.*, p. 234.

²³ *Ibid.*, p. 236; "Emeziah Bohanon," *Indian-Pioneer Papers*, Vol. I, p. 217; "Charles Augustus Berryhill," Vol. XV, p. 5.

²⁴ *Ibid.*; "Emeziah Bohanon," *ibid.*, Vol. I, p. 217.

²⁵ *Ibid.*, p. 218.

²⁶ Debo, *op. cit.*, p. 233.

²⁷ "Wm. C. Cook," *Indian-Pioneer Papers*, Vol. II, p. 233.

²⁸ Debo, *op. cit.*, p. 233.

of the rivers, they settled along their banks as they had in their southern homes. One of the worst floods in their history came down the Arkansas and Grand rivers in 1833. Not only did they suffer great material loss, but much sickness as well. Agent William Armstrong reported, "Not a family but more or less sick; the Choctaws dying to an alarming extent . . . Near the agency there are 3,000 Indians and . . . 100 have died within five weeks."²⁹ Since the nearest physician was sixty miles away and charged a fee of seventy dollars to call, the Indian doctors were in great demand, but the high mortality rate illustrated their ineffectiveness. The Reverend Alfred Wright, a Presbyterian missionary, was greatly sought by Christian Indians for help during the 1833 epidemic of remittent fevers. He reported that within a radius of three miles of his home seventy deaths occurred in seventy families that year.³⁰ Many illnesses called remittent fevers and bilious fevers were probably typhoid.

A serious drought in 1838 ruined Choctaw crops and created a water shortage. In July streams began to dry up and by September many were entirely gone, leaving only scattered stagnant pools. There was a great deal of sickness, caused principally by the polluted water. Indian Agent William Armstrong reported that the Choctaws desired the attendance of a white physician.³¹ Discouraged by the ruined crops and illnesses, they sought the numbing effects of liquor, to the neglect of their crops, stock, and schools.

There had not been time to recover from these disastrous influences when the Chickasaws arrived in 1838. Adding to the Choctaws' misfortunes, they brought smallpox, one of the white man's most calamitous gifts to the Indians. Their lack of natural immunity and medical treatment, neglect of precautionary measures, and their exposed modes of living made it especially fatal. Its spread was facilitated by the refusal of relatives and friends to be separated from the smallpox victims. Before vaccination finally arrested its spread, it had claimed the lives of four to five hundred Choctaws.³²

²⁹ William Armstrong to Elbert Herring, September 20, 1833, quoted by Grant Foreman in *The Five Civilized Tribes*, p. 24.

³⁰ *Cherokee Phoenix*, May 17, 1834, quoted by Grant Foreman in *The Five Civilized Tribes*, p. 40.

³¹ William Armstrong to C. A. Harris, July 28, 1838, *Executive Documents*, 25th Congress, 3rd Session, Document I, Vol I (Washington, D. C.: United States Government Printing Office, 1839), p. 508.

³² *Ibid.*

To counteract the disrupting influence of alcohol, temperance societies were organized. The Reverend Cyrus Byington, a Presbyterian missionary at Eagletown, was a leader of the temperance society, and seven to eight hundred had signed a temperance pledge by August, 1842.³³ A continuing interest in temperance was evidenced by the number of temperance articles printed in the Nation's first two newspapers at Doaksville — the *Choctaw Telegraph* published in 1848-1849 and the *Choctaw Intelligencer*, published in 1850-1852.

The *Telegraph* and the *Intelligencer* also reflect an interest in science and medicine. Both newspapers were published in Doaksville by Choctaws and were of excellent quality. The ready print sections of these papers ran articles on science and medicine which contained the latest knowledge in those fields. Sample titles of articles in the *Telegraph* are: "The Lungs," "The Electricity of a Tear," "Organs of Voice," "The Solar System," and "Cause of Bad Teeth."³⁴

The papers ran notices of professional services such as this one which appeared in the *Telegraph* on May 3, 1849: "Doctor Walner having permanently located at Doaksville respectfully offers his services to the public generally. He will be found at his residence when not professionally engaged." Doctor J. M. Pirtle ran a similar advertisement in the *Intelligencer* on August 1, 1850. Drugs were also advertised from as far away as New Orleans by E. J. Coxe and Company, who had for sale such preparations as Coxe's Cholera Syrup and Pills, Coxe's Tonic Ague Syrup, Coxe's Nerve and Bone Liniment, and numerous other items. "A single trial is alone sufficient," claimed the Coxe firm.³⁵ Nearer home was Isiah W. Wells and Company of Pine Bluffs, Red River County, Texas, who had a "general assortment of drugs and medicines direct from Philadelphia, for sale, wholesale and retail."³⁶ At Doaksville, Berthelet and Jones, the "Post Office Store" had for sale "articles which should be kept in every family," including "Dr. Jayne's Expectorant, Vermifuge, Sanative Pills, and Ague Pills."³⁷

The papers also printed reports from the academies and

³³ John T. W. Lewis to William Armstrong, August 17, 1842, *Executive Documents*, 27th Congress, 3rd Session Document 2, Vol. I, p. 498.

³⁴ The *Telegraph* and the *Intelligencer* were printed both in English and Choctaw. —Newspaper Division, Oklahoma Historical Society.

³⁵ *Choctaw Intelligencer*, July 4, 1850.

³⁶ *Ibid.*, August 8, 1850.

³⁷ *Choctaw Telegraph*, May 17, 1849.

seminaries. The state of the health of the pupils and the epidemics experienced were included in these reports. The obituaries convey the sorrow which accompanied the deaths of the very young. During the decade of the forties, many promising young people in the Choctaw Nation were taken by pneumonia, whooping cough, measles, scarlet fever, cholera, and consumption (tuberculosis). Neither Indian doctors nor white physicians had effective drugs to combat these killers.

In spite of the tremendous difficulties, the Choctaws began to prosper. George W. Harkins living at Fort Towson, Indian Territory, in 1845 wrote Greenwood LeFlore who had remained in Mississippi: "The Choctaws are progressing and are certainly making great strides towards civilization. The Choctaw people if let alone by the United States government in the course of twenty years there will be found in this Nation as intelligent men and women as can be found."³⁸ But the Choctaw Nation was not destined to be left alone for the next twenty years. In the late 1840's Choctaws who had remained in Mississippi began to arrive. They were demoralized, disorderly, and brought with them whooping cough and cholera. In 1849, the Fort Coffee Academy and the New Hope Seminary were closed because of cholera.

In the autumn of 1852, epidemics again took their toll of the Choctaw young. At Fort Coffee Academy the boys had measles in their worst form and were only partially recovered when whooping cough, pneumonia, and the flux attacked. The Reverend John Harrell, superintendent of the academy reported: "The scene was truly appalling In vain did we resort to physicians and medical aid, all was unavailing"³⁹ Nearby New Hope Seminary was also infected and a number of deaths resulted. Measles struck again in 1858 and necessitated the closing of Armstrong Academy temporarily.

The tragedy of the Civil War invaded Indian Territory and the Choctaws allied with the Confederacy. Boggy Depot became a principal commissary depot for the Confederacy, and the Presbyterian Church of that village was utilized as a hospital for the wounded from the surrounding area, including those from the

³⁸ George W. Harkins, Fort Towson, Indian Territory, to Greenwood LeFlore in Mississippi, June 1845, quoted by Grant Foreman in *The Five Civilized Tribes*, p. 64.

³⁹ John Harrell, Superintendent of Fort Coffee Academy quoted by Grant Foreman in *The Five Civilized Tribes*, p. 80.

⁴⁰ Interview with Dr. Muriel H. Wright, November 13, 1969, Oklahoma Historical Society.

battle at Pea Ridge, Arkansas. Doctor Thomas J. Bond, the first Choctaw with accredited training as a medical doctor, became a surgeon in the Confederate army and cared for the wounded there.⁴⁰ The first hospitals in Indian Territory were those at the schools and the military hospitals. Doctor Bond maintained order and cleanliness both in the hospital and at Boggy Depot in spite of wartime confusion. With the influx of soldiers came another epidemic of smallpox. Doctor Bond remained at Boggy Depot for a time after the war, and later practiced medicine at Atoka.

After the Civil War, the Choctaws once again began to restore their damaged nation. Chief Allen Wright's inaugural address in 1866 expressed their dilemma: "This was the second time in our history that the bright future prospect for the Choctaws in the rapid march to civilization — progress of education and wide spread of religion among them have been impeded and paralyzed by direct and indirect acts of the Government of the United States."⁴¹

During the thirty years prior to the Civil War, there were a few white physicians in the Choctaw Nation, but no effort was made to check their credentials or license them. As a result, many quacks sought to take advantage of the Indians. The first reliable physicians came with the army or with the missionaries. The Reverend Alfred Wright was primarily a theologian, but learned medicine out of necessity. Doctor E. G. Meek was employed at the New Hope Seminary in 1845; Doctor R. S. Williams and the Reverend Doctor A. Biggs were at Fort Coffee Academy.⁴² Doctor Bond also became affiliated later with Choctaw education when he was appointed superintendent of the public schools of the Nation.⁴³

The Census of 1860 listed five white physicians living in the Choctaw Nation.⁴⁴ As time passed and the Indians saw the effectiveness of the white physicians they began to gain more confidence in them. The success of the physicians was often impeded by the Indian's frequent practice of submitting himself to the

⁴¹ Letters of Chiefs, Union Agency Files, quoted by Angie Debo, *op. cit.*, p. 39.

⁴² *Choctaw Telegraph*, October 25, 1849.

⁴³ Document Number 19879, Choctaw Schools, Indian Archives Division, Oklahoma Historical Society.

⁴⁴ Frances Wood, ed., *United States Census of 1860* (Arrow Printing Co., 1964), pp. 45-46. White physicians living in the Choctaw Nation were: Doctors G. W. West, William Stringfellow, James S. Davis, Thomas Fendall, and William Barnes.

ordeals of the medicine man while under the treatment of a physician. As the influence of the physicians increased, living and sanitation conditions improved.

In addition to the epidemic diseases, the Choctaws were afflicted with scrofula, a form of tuberculosis which enlarges the lymph glands.⁴⁵ "Sore eyes" — trachoma, a contagious inflammation of the eyelids — was very common. Frequent applications of cold water were used for relief.⁴⁶ Malaria (known as the ague), itch, diarrhea, dysentery and consumption were very common diseases in the Choctaw Nation. Chronic illness was probably responsible for the common belief of whites that Indians were inherently indolent.

One young Choctaw, William Hawkins (Harkins) became a part of a unique American phenomenon of the late nineteenth and early twentieth century, the "medicine show." During that time medical fadism was popular among white Americans and one of the most popular fads was Indian remedies. Pamphlets and articles were written about their value, and patent medicines proclaimed they were concocted from old Indian formulas. Hawkins (Harkins) decided to use his knowledge of Indian medicine to make money and joined a medicine show. Known as "Chief Spotted Wolf," he drove a carriage with six white horses in the parade and was dressed in a chief's costume with head dress and all of the trappings.⁴⁷

The most influential Choctaw physician was Doctor Eliphalet Nott Wright, son of Chief Allen Wright. He attended Albany Medical College and immediately after graduation in 1884 began an active, influential career. He was responsible for the passage of the first Choctaw legislation regulating the practice of medicine in the Choctaw Nation in October of 1884. The bill provided that the principal chief should appoint a board of physicians composed of three doctors, "to examine all persons, not citizens of this Nation, who have located or may locate hereafter, within the limits of said Nation for the purpose of practicing medicine."⁴⁸

⁴⁵ Henry C. Benson, *Life Among the Choctaw Indians and Sketches of the Southwest* (Cincinnati: L. Swormstedt and A. Poe, 1860), p. 51.

⁴⁶ Byington, *Diary*, p. 70. "Sore eyes" were mentioned by Byington numerous times in his diary and letters.

⁴⁷ "William Hawkins," *Indian-Pioneer Papers*, Vol. XXVIII, p. 291. (The name here should be spelled "Harkins." William Harkins was a member of a prominent Choctaw family of which George W. Harkins was a well-known leader. —Ed.)

⁴⁸ *General and Special Laws of the Choctaw Nation*, Bill Number 26, approved October 29, 1884, Indian Archives Division, Oklahoma Historical Society.

HILDEBRAND'S MILL NEAR FLINT, CHEROKEE NATION

By Daniel F. Littlefield, Jr. and Lonnie E. Underhill

A colorful part of the history of Oklahoma is found in the various industries that once formed the economic backbone of early history in this state. One such industry is the grist and lumber milling industry. These flourished in the Indian Territory because of the abundance of water in the 19th Century. In many cases, for economic reasons, both kinds of mills were located in the same structures. Among those in the Cherokee Nation, were Coodey's Mill between Muskogee and Fort Gibson; Wilkie's mill about two miles south of Westville; Thompson's Mill on Tyner Creek west of Watts; Wright's Mill on the Barren Fork Creek; Spavinaw Mills and Hildebrand's Mill near Flint. All of these mills and many others have interesting histories. By far the longest and most continuous and, perhaps, the most interesting record is that of Hildebrand's Mill, sometimes called Beck's Mill.

Much of its long history has been kept alive by its present owner, Mr. Kermit Beck.¹ The mill is located on Mr. Beck's farm about one-third of a mile north of Oklahoma Highway 33 at Flint in southern Delaware County. It is an impressive and picturesque three-story unpainted building which, on the first floor, has a grist mill in one half and a sawmill in the other. The building is about 30 feet wide, 40 feet long, and 40 feet high. It stands east and west, facing the east. The front foundation is a flat limestone bluff, and the west end is supported by native limestone pillars, about ten feet high, rising from the floor of the Flint Creek bottom. Almost as impressive as the building is the mill race which comes from the northeast and strikes the mill about the middle of its north side. The race comes from what was once a millpond covering three or four acres about three-quarters of a mile away. It is an eight feet by eight feet channel, cut in many cases through solid limestone.

Most impressive of all is the mill's machinery which, for the most part, is complete and in excellent repair. Mr. Beck last ran the sawmill in the summer of 1967, using a gasoline engine for power. The grist mill was last run by water in 1935; its machinery is complete except for the old Davis water turbine which was located under the mill at the end of a flume which extended from

¹ Mr. Beck is the son of Richard Beck and grandson of Aaron Headin ("Head") Beck, long-time owner and operator of the mill. The information cited from him in this article comes from interviews on August 2, 1969, and December 26, 1969.

the mouth of the mill race. Though the original building and much of the original machinery were destroyed by a flood in 1892, the mill still contains one of the two sets of grindstones or buhrs which were brought there when the original mill was built in 1845. The mill's machinery is still in working order. And Mr. Beck can give a vivid account of how the machinery operated and how the millstones were dressed, or sharpened, for milling. He is undoubtedly one of the few men left who can perform that delicate art. And he is well qualified for it, too, for he represents the third generation of the Beck family to operate the mill as a business enterprise.

The mill as it now stands is not the original one which stood in the Flint Creek bottom some sixty feet west of the present mill. According to Mr. Beck, the original mill was built by a man named Towers who came from Dutch Mills in Arkansas in 1845, to build the mill.² Towers was related to the Beck family by marriage. He married Elizabeth (Buffington) McLaughlin, and their son, Ellis Buffington Towers, married Charlotte Eaton, a half sister to Kermit Beck's greatgrandfather, Jeffrey Beck, and to Pauline ("Aunt Polly") Beck whose violent death at the mill was to set off a long and bitter feud between the Beck and Proctor families. To the mill Mr. Towers brought two sets of buhrs, one for grinding corn and one for grinding wheat. The buhrs were made of marble and imported from France to New Orleans, then up river to Fort Gibson, and finally by oxcart to the mill. Only the corn buhr remains. Towers' Mill was driven by an overshot wooden wheel, twenty feet in diameter, fed by a flume which ran from the mouth of the mill race to the wheel. This same wheel drove the mill until it was destroyed toward the end of the century. It turned on a burr oak axle which had to be replaced about every seven years. Towers and subsequent owners of the mill ran the wheel day and night to keep it in balance.

From the time of its establishment by Towers, the mill operated under the laws of the Cherokee Nation, just as most business enterprises did. The laws not only carefully protected the customer but also outlined the responsibilities of the miller. According to Section 114, Article 23 of the Laws of the Cherokee Nation, "The

² This man was probably Jeremiah C. Towers, who was not from Dutch Mills but was rather a prosperous farmer in the Old Nation. He was probably a miller, also, for the 1835 census indicates that he supported a mechanic, a clear indication he maintained a good deal of machinery. See Indian Archives Division, Oklahoma Historical Society, *Cherokee—Census*, Sec. X, p. 223. It is likely that Towers, when he got ready to build the mill, imported his mechanics and millwrights from Dutch Mills; it was common practice in the Cherokee Nation to import such skilled labor.

owners or occupiers of all grist mills . . . moved by water, shall be entitled to one-eighth part of all wheat, corn, or other grain, ground and bolted, or ground and not bolted, and no more." Owners of those moved by steam or wind were entitled to one-sixth part, and those moved by horse or other animal power, one-fourth part. Violators were subject to fine up to the amount of fifty dollars, and imprisonment upon default of payment. Section 115 states that the miller could not grind his own grain to the exclusion of others; instead, he had to grind "in due time" that grain brought to the mill in the order in which it was brought. Containers of grain brought to the mill had to be clearly marked with the owner's name. While such containers were on the mill's premises, the miller was responsible for their safe keeping, except in the case of fire, robbery, or unavoidable accident for which he or his employers were not responsible.³

Towers sold the mill to Stephen Hildebrand,⁴ some of whose improvements still are to be seen at the mill site. The original mill race, dug by Towers, was four feet by four feet. According to Kermit Beck, Hildebrand hired "two Irishmen" to dig the channel eight feet wide and eight feet deep, for which he paid them two thousand dollars in gold. The job took them two years, as one can well believe, for as pointed out earlier, it travels for great distances through beds of solid limestone. More significant to the history of the mill was the fact that it was through Hildebrand that the mill ultimately came into the hands of the Beck family.

Hildebrand married Pauline Beck, a niece of Mrs. Jeremiah C. Towers. One of the most dramatic events in the history of the Cherokee Nation turns around Pauline (Beck) Hildebrand. After Hildebrand's death, "Aunt Polly" married James Kesterson, a white man, who for some reason incurred the wrath of one Ezekiel Proctor, one-time deputy sheriff of Goingsnake District and successful farmer and rancher. On February 14, 1872, Proctor came to the mill where a gunfight ensued, during which Mrs. Kesterson was killed. According to E. H. Whitmire, Proctor went to the mill to talk to Kesterson with whom he was "having trouble over some stock." At the mill he and Kesterson got into a heated argument, and when the shooting started, Mrs. Kesterson jumped

³ *Laws of the Cherokee Nation* (Tahlequah: National Advocate Print, 1881), pp. 292-293.

⁴ Hildebrand was the son of Michael and Nannie (Martin) Hildebrand. His first wife was Mary Potts and his second was Pauline ("Aunt Polly") Beck.

between the two men and was killed.⁵ It is not clear just what the trouble over the cattle was, but according to Oscar Beck, Mrs. Kesterson was well-to-do and had a number of cattle running on open range; the cattle were destroying the crops of the Indian farmers that lived on the Illinois River to the south. Mr. Beck says that Proctor went to the mill to tell Kesterson to keep his cattle closer to home.⁶ Mr. Beck also suggested that it was perhaps a family fight since Kesterson had once been married to Proctor's sister.

The death of Mrs. Kesterson had repercussions which were far reaching. The controversy it began raised some important issues of concern to the entire Cherokee Nation. It contributed to a rising conflict between the courts of the Cherokee Nation and those of the United States regarding jurisdiction in cases involving Indians and white men. The Beck family was incensed by the death of their relative. Proctor had turned himself in to the Cherokee authorities, but the Becks feared that he would be acquitted rather than convicted by the Cherokee courts. According to the treaty of 1866, the Federal Courts at Fort Smith had jurisdiction over cases involving whites in the Indian Territory. Kesterson was a white man, but he had been adopted into the Cherokee Nation by marriage, which act supposedly gave jurisdiction in the case to the Cherokee courts. But supported by the Becks, Kesterson went to Fort Smith on April 11, 1872, where he sought a writ for Proctor's arrest for assault with intent to kill. James O. Churchill issued the writ which was to be served by Marshals J. G. Peavy and J. G. Owens, who were to ride to the Goingsnake Courthouse, arrest Proctor, and bring him to Fort Smith for questioning if he were acquitted.⁷

On April 15, the posse, swelled by members of the Beck family, arrived at the schoolhouse where court was in session. A gunfight broke out, during which eleven men were killed and several were wounded, most of them among the Beck party. After

⁵ *Indian-Pioneer History* (Indian Archives Division, Oklahoma Historical Society), XI, 373; hereafter cited *Indian-Pioneer History*.

⁶ Oscar Beck (interview), Colcord, Oklahoma, August 3, 1969. (The story of Zeke Proctor is found in "Uncle Sam's Treaty with one man," by Dr. Virgil Berry of Okmulgee, under Notes and Documents in *The Chronicles of Oklahoma*, Vol. XXXII [Summer, 1954]. —Ed.)

⁷ *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 15.

⁸ Letter of John B. Jones to H. R. Clum, Acting Commissioner of Indian Affairs, October 29, 1873, in Foreman Transcripts, *Letters and Documents: Cherokee, 1826-1884* (Indian Archives Division, Oklahoma Historical Society), pp. 153-154.

the battle, both sides retreated, and for months there were rumors and threats of further violence between the two factions and between the Cherokee Nation and the United States because of the death of Marshal Owens and because of the need to settle the problem of legal jurisdiction. The controversy finally ended in an amnesty in 1873, which was instituted to relieve tensions.⁸ The controversies brought attention to the fact that a Federal court was needed in the Indian Territory, and it ultimately resulted in the establishment of a U. S. District Court at Muskogee in accordance with the treaty of 1866; the first session was April 1, 1889, Judge James Shackelford, presiding. Thus, the tragic event which took place at Hildebrand's Mill on that morning in 1872, had its lasting effects on the history of the Indian Territory.

The Kestersons had been living at the mill and running it, but Mrs. Kesterson had evidently sold her interest in the mill to her nephew, Aaron Headin Beck, as early as 1869. It seems that Beck had borrowed the money from one John M. Taylor who held a mortgage and license for the sawmill from the Cherokee National Treasury Department. Taylor attempted to foreclose and accused Beck of illegally selling lumber to citizens of the United States without paying the necessary taxes. Taylor's action was probably precipitated in some way by the death of Mrs. Kesterson, since it took place only a few months later.⁹

Taylor's letter to Treasurer Bushyhead gives some interesting facts about the mill. It is the first reference to it as a sawmill. It was probably a sawmill as well as a grist mill before 1869, since such combinations were common at that time. As will be shown later, for the rest of the century, the sawmill was to be much more profitable as a business enterprise than the grist mill. Taylor's letter also states that Aaron Beck had leased one-half of the mill "to a citizen of the United States" for a term of twelve months and had, through written agreement, promised to furnish that white man with a license and permit to operate the mill.¹⁰ Taylor evidently ran the mill for a while, for he applied for a permit to operate a sawmill after he had made his five thousand dollar bond.¹¹

⁹ Letter of John M. Taylor to D. W. Bushyhead, July 25, 1872, in *Cherokee-Timber (Tahlequah)*, Indian Archives Division, Oklahoma Historical Society; hereafter cited as *Cherokee-Timber (Tahlequah)*.

¹⁰ Taylor to Bushyhead, July 25, 1872.

¹¹ Bond of John M. Taylor, Michael Diener and Noah Parris, July 22, 1872, *Cherokee-Timber (Tahlequah)*, Indian Archives Division, Oklahoma Historical Society.

The white man to whom Taylor referred in his letter to Bushyhead was evidently Martin W. Dial who became a citizen of the Cherokee Nation by marriage into the tribe¹² Early in 1873, Dial applied for a work permit for a non-citizen, Hinous Mires, for a term of four months. Mires was a mechanic whom Dial had engaged to repair "the Helterbrin Mills" in which he had bought half interest.¹³ The other half was retained by Aaron Beck. Dial's son, Nathaniel Hastings Dial, was in school in Texas at the time of the purchase, but he came shortly thereafter to the Indian Territory to assist his father in the business.¹⁴ How long Dial operated the mill is uncertain, but he was still there in 1886, when a post office was established in the mill,¹⁵ at which time he was appointed as postmaster.¹⁶

In 1869, the Cherokee Nation had passed an act regulating the sale of lumber to citizens of the United States. During the 1870's there was a boom in the lumber industry which resulted in wholesale and unregulated cutting of timber on the public domain as well as on private property. In 1876, the legislature passed an act which amended the 1869 act, reducing from five thousand to one thousand dollars the bond to be filed by persons licensed to sell lumber to citizens of the United States.¹⁷ In compliance with the law, Aaron Beck and Nathaniel Dial filed an affidavit on January 9, 1878, in which they bound themselves in the sum of one thousand dollars to pay into the national treasury the taxes on lumber sales as required by law.¹⁸

The wholesale cutting of timber and the unlicensed sale of lumber to non-citizens resulted in another act on January 12, 1878, which repealed the act of 1869. It further stated "That any person a citizen of the Cherokee Nation, who shall sell or dispose of in any manner, any timber, or sawed lumber to any other per-

¹² Dial married Nannie Keaton, daughter of Joseph Keaton and Catharine Ward.

¹³ Letter of M. W. Dial to Denis Bushyhead, April 9, 1873, in *Cherokee Permits to Non-Citizens (Tahlequah)*, Indian Archives Division, Oklahoma Historical Society.

¹⁴ D. G. Gideon, *History of Indian Territory* (New York: The Lewis Publishing Company, 1901), p. 902.

¹⁵ "Oklahoma Historic Sites Survey," *The Chronicles of Oklahoma*, XXXVI (Autumn, 1958), 291.

¹⁶ George L. Shirk, "First Post Offices Within the Boundaries of Oklahoma," *The Chronicles of Oklahoma*, XXVI (Summer, 1948), 207.

¹⁷ An Act to Amend An Act Entitled "An Act for the Protection of the Public Domain," December 17, 1869, in *Cherokee-Timber (Tahlequah)*.

¹⁸ Bond of Aaron Beck and Nathaniel Dial, January 9, 1878, in *Cherokee-Timber (Tahlequah)*.

son, not a citizen of the Cherokee Nation for the purpose of transporting the same beyond the limits of the Cherokee Nation shall be deemed guilty of a misdemeanor" It established heavy fines for violators.¹⁹ An act on December 9, 1881, increased the penalties. But the laws were too vague to be adequately enforced. In 1887, Chief Bushyhead asked Thomas Marcum, an attorney in Fort Smith, to analyze the Cherokee laws so that the situation might be remedied. In reviewing the laws up to 1881, Marcum wrote, "Under neither of these acts was a Cherokee Citizen guilty of the crime or subject to the penalty, until the Timber was moved BEYOUND (sic) the Geographical limits of the Nation There was no law at that time to prohibit the transition, or moving of such Timber from one point of the Nation to another. There was no law at that time against any intention of a party to do or not do anything in regard to such Timber." Marcum went on to say that the subsequent laws were poorly written and criticized the attempts to regulate the sale of timber by executive orders which were not sufficiently written into law by the Council.²⁰ One such executive order was issued on July 7, 1881, and attempts to enforce it resulted in a number of cases against individuals whom the courts could not prosecute for lack of adequate laws.

One of those cases involved Beck and Dial. The case of *Cherokee Nation vs. Beck, Dial, and Son* was dismissed by the District Court of Goingsnake District, "for the want of law, the Court not being in possession of any law by which to be governed . . ."²¹ Nor did this case inhibit Dial and Beck. In September of 1881, Chief Bushyhead sent Nelson Foreman to serve notices to all operators of sawmills in Goingsnake District to stop selling lumber to non-citizens or taking it outside the limits of the Nation. Foreman found Dial and Beck carrying on business as usual.²²

The Cherokee Nation never passed any adequate laws to

¹⁹ An act prohibiting any persons from transporting timber and sawed lumber beyond the limits of the Cherokee Nation, January 12, 1878, in *Cherokee-Timber (Tahlequah)*.

²⁰ Letter of Thomas Marcum to D. W. Bushyhead, May 7, 1887, in *Cherokee-Timber (Tahlequah)*.

²¹ Letter of J. S. Bigbee to D. W. Bushyhead, September 5, 1881, in *Cherokee-Timber (Tahlequah)*.

²² Letter of Nelson Foreman to D. W. Bushyhead, September 7, 1881, in *Cherokee-Timber (Tahlequah)*.

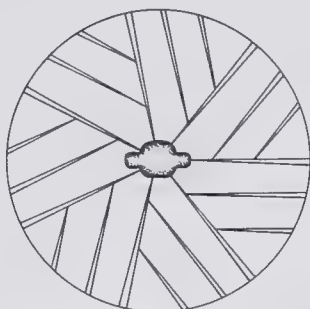
control the sale of timber outside of the Nation.²³ By the time Chief Bushyhead asked for the review of the existing laws in 1887, much of the native stands of timber had been cut or otherwise destroyed by almost twenty years of unrestricted cutting.

The responsibilities of men in the lumbering industry to the law were obviously ambiguous, and shrewd business men like Aaron Beck took advantage of that ambiguity and built sizeable and profitable business enterprises. The Beck Mill had come under the sole ownership of Aaron Beck, probably during the 1880's. According to Kermit Beck, besides the grist and saw-mills, there were also a planing mill and a shingle mill. Business thrived until disaster struck in 1892 when a flood destroyed the mill and with it what Beck estimated to be close to fifty thousand dollars worth of lumber products. The only thing Beck salvaged was the corn buhr which he found, along with the wheat buhr, several hundred yards down Flint Creek. For some reason he did not retrieve the wheat buhr.

Little has been said to this point about the grist mill. It had been one of those necessary business establishments in the nineteenth century and as such had been a focal point for much traffic from the surrounding areas. Many customers had to come great distances, and travel in those days was difficult. People came, sometimes with only their own grain or sometimes, as an agent, with that of an entire community.²⁴ Since, under Cherokee law, the miller was obligated to grind the grain in the order in which it came to the mill, the customers would sometimes have to wait from hours to days during the busiest season. However, the mill could grind a great deal of grain during a day's time. Kermit Beck states that his father, Richard Beck, could run twenty bushels per hour through the mill when it was in its best condition; however,

²³ In the mid-1890's the Principal Chief was still asking for legislation from the Council to deal with the cutting of timber from the public domain. On December 14, 1895, S. I. Fields wrote to Chief Samuel Mayes, decrying the depletion of timber resources by unrestricted cutting. Mayes, in turn, asked the Council for an enforceable law to prohibit the cutting of timber. See *Cherokee-Timber (Tahlequah)*. However, no effective law resulted. The problem was not resolved until 1903, when the Assistant Attorney General for the Interior Department ruled that once Indians received certificates for their individual allotments, they could sell the timber on their allotments to anyone they wished. See letter of J. George Wright to Principal Chief, August 15, 1903, in *Cherokee-Timber (Tahlequah)*. By then, however, the land had been subjected to over thirty years of unrestricted cutting, and what few native stands of timber remained soon fell under the axes of the last timber speculators in the Cherokee Nation.

²⁴ Nick Comingdeer, *Indian-Pioneer History*, XX, 317.



MILLSTONE DESIGN



HOPPER AND "TUB"



DRESSING TOOLS

MILLSTONE, HOPPER AND TOOLS FROM
THE HILDEBRAND MILL, DELAWARE COUNTY

(Littlefield and Underhill)



HILDEBRAND'S MILL FACING EAST



MILL RACE AT ITS MOUTH

(Littlefield and Underhill)

the younger Beck felt that the mill most effectively ground about twelve bushels per hour. Despite the capacity of the mill, there was sometimes a backlog of grain to be milled. The mill's location, too, helped make it a focal point of activity. It was located on one of the main roads into that part of the Indian Territory. The road was so traveled that it supported a toll gate near the present town of Kansas, Oklahoma. The road was sometimes called the Hildebrand Road because of the mill's location on it.²⁵

It was not until 1907 that Beck built the mill that now stands on the Beck farm. When Beck rebuilt it, he had bigger plans than ever materialized. His purpose in making the building three stories high was to install flour milling machinery, but after the structure was finished, he decided to maintain only a corn mill and a saw-mill (the fact that he rebuilt it mainly as a grist mill indicates that the lumbering industry had considerably declined by the time of statehood). In the mill Beck reinstalled the original buhr, but instead of the overshot wooden wheel, he bought a more efficient water turbine manufactured by the Davis Foundry and Iron Works of Rome, Georgia.²⁶ The turbine also drove a corn sheller and the Duplex mill which was used in grinding feed for cattle. Both of these latter machines still stand in the mill.

The grist mill itself is a typical one.²⁷ As indicated, the buhrs were imported from France as most were in the nineteenth century. They are single pieces of "French marble" about forty-eight inches in diameter.²⁸ Most buhrs from France were actually a sharp porous sandstone found along the Marne near Epernay. However, difficulty often arose in obtaining an entire stone the quality of which was the same throughout; in such cases the selected pieces were cemented together or chinked with molten lead and plaster of Paris and bound with an iron hoop to keep the stones from flying apart as the buhr revolved. Each piece of stone was about one square foot in area; they fitted together into a circular mass. Among the pieces of buhr that went into the making of a complete millstone, the largest was used to form the center or "eye" of the stone. The four or five central pieces sur-

²⁵ Henry Vogel, *Indian-Pioneer History*, XI, 84.

²⁶ A picture of the turbine is nailed on the wall inside the mill.

²⁷ An excellent and concise discussion of how old mills like the Beck Mill operated can be found in Harry B. Weiss and Robert J. Sim, *The Early Grist and Flouring Mills of New Jersey* (Trenton: New Jersey Agricultural Society, 1956), pp. 49-57. The authors here have relied on this work for some of the general information regarding old mills.

²⁸ This same type of buhr can be seen at the site of the Thompson Mill on Tyner Creek, west of Watts.

rounding the eye were sometimes cut so as to form a hexagon, and surrounding the hexagon and making up the bulk of the stone were pieces that varied in number from eight to nineteen.²⁹

When the mill is assembled, the lower, or bed stone, is stationary and the upper, or runner stone, revolves. The opening in the center of the bed stone is only large enough to permit the spindle or shaft to go through and revolve. The lower surface of the runner and the upper surface of the bed stone are furrowed in a pattern that leads the meal away from the center of the stones to their outer edges. The surface between the furrows is called the "land." There were various types of designs used for millstone faces, although most had characteristics in common. The pattern on the buhrs at Beck's Mill consist of seven furrows of twenty-two inches, evenly spaced and running from the "eye" of the stone to its outer edge. From each of these major or "long" furrows are two shorter ones running parallel to the next furrow to the right. The long furrows run from their vortex at the eye to one and one-half inches in width at the outer edge and from flush to one-quarter of an inch deep.

The buhrs, as all cutting tools, became dull with use. Therefore, about every three years it was necessary for the miller to dress, or sharpen, the millstones. At the Beck Mill the runner stone was removed by means of a winch. The winch consists of a boom, which is shaped like an inverted "L" and which turns freely on its base near the "tub" that encases the millstones. From the end of the boom hangs an iron bar to which is attached a pair of expandable horseshoe-shaped tongs. The two prongs are attached to opposite sides of the buhr; it is then raised from the bedstone by means of a heavy timber used as a lever. The stone is then lowered by the same means to the floor where it is dressed.

The miller dresses the millstone by first chipping the furrows to the desired width and depth with furrow hammers and then by dressing them to a smooth finish with mill picks. Finally, he dresses the "land." After this process, he uses a "red staff," a stick about three inches square and about fifty inches long, to make sure that the grinding surface of the stone is level. He covers one edge of the stick with red clay mixed with water, red paint, or "red lead." He then rotates the stick on the stone's surface. The highest part of the surface will show red. The miller then dresses

²⁹ A part of this type of buhr can be seen at the site of the Wilkie Mill south of Westville; this type was also used at Dutch (Rhea's) Mills, southeast of Prairie Grove, Arkansas.

down those parts. He repeats this process until the surfaces are adequately dressed. Kermit Beck has a collection of tools with which he, and his father and grandfather before him, dressed the stones. He said that it took one man about three weeks to perform the dressing process.

After completion of the dressing process, the miller re-assembled the mill and ran several bushels of grain through it to clean the buhrs. He adjusted distance between the grinding surfaces by means of a "bridge tree" or "lighter screw." With it the miller could raise or lower the spindle shaft which ran up from the power plant under the mill's floor, and through the bed stone, and locked into and turned the runner stone. Mr. Beck states that the adjustment at the Beck Mill was so precise that the stones could be brought to one one-thousandth of an inch of one another before they would touch.

If the power plant were restored, the machinery at Beck's Mill would operate just as precisely today. That fact testifies to the excellent care the machinery has received from the three generations of millers among the Beck family. That care insured its success and long history as a business enterprise in the Cherokee Nation and in the State of Oklahoma. The machinery of the grist mill and the sawmill and the massive building which contains it stand as a monument representing a century and a quarter of the history of two essential industries. Their history has often been ignored in favor of the more dramatic aspect of the State's history, and it is likely yet to be written.

NOTES AND DOCUMENTS

CORRECTION IN THE CHRONICLES

WINTER 1969-1970

A printing error occurred in the placement of two illustrations in *The Chronicles* for Winter, 1969-1970 (Vol. XLVII, Number 4) in the article, "Edmund Gasseau Choteau Guerrier: French Trader." The photograph appearing on page 373 should be transferred to page 363 with the title: Edmund Gasseau Choteau Guerrier (credit line: Print from portrait about 1860, Oklahoma Historical Society). The print on page 365 should be transferred to page 373 with the title: Starving Elk, Cheyenne — Lived on the Cheyenne-Arapaho Reservation, 1880's (Oklahoma Historical Society). The print on page 363 should be on page 365 with title "Big Mouth, Arapaho Chief."

— The Editor

ANNUAL INDEX TO THE CHRONICLES, 1969

The Annual Index to *The Chronicles*, Vol. XLVII, 1969 compiled by Mrs. Rella Looney, Archivist, is distributed free to those who receive the quarterly magazine. Orders for the Annual Index should be addressed to the Administrative Secretary, Oklahoma Historical Society, Historical Building, Oklahoma City, Oklahoma, 73105.

REPORT FROM DEPARTMENT OF HISTORY,
OKLAHOMA STATE UNIVERSITY

The History Department of Oklahoma State University announces the following activities and staff changes effective with the autumn semester of 1969: Neil J. Hackett, Jr., instructor in history at the University of Cincinnati, became assistant professor of ancient history; Sidney D. Brown, visiting professor of East Asian history at the University of Illinois for the 1968-69 academic year, resumed his duties as professor of East Asian history; Bernard W. Eissenstat, who served as director of a workshop on communism at Northern Arizona University during the summer, resumed his duties as associate professor of Russian history; George F. Jewsbury, who served as visiting assistant professor of Russian history at the University of Missouri during the summer, resumed his duties as assistant professor of Russian and Eastern European history; Douglas D. Hale, who conducted research during the summer on German democracy in the 1830's in Frankfurt-Main, Germany, under an American Philosophical Society grant,

resumed his duties as associate professor of Modern German history; Fred Belk, part-time instructor, became assistant professor of history at Sterling College.

The History Department, effective with the autumn semester of 1969, offers the Doctor of Philosophy degree. Programs of study in three areas of American history, two areas of Modern European history, Ancient and Medieval history, English, Latin American, East Asian, Russian history, and the history of science, are available.

—Homer L. Knight, Head
Department of History

REPORT: MARVIN E. TONG, JR., DIRECTOR,
MUSEUM OF THE GREAT LAKES

A Museum of the Great Lakes has been established in Bay City, Michigan, and will have as its mission the interpretation of man to his environment in the Great Lakes region.

Marvin E. Tong, Jr., formerly director of the Museum of the Great Plains and the Great Plains Historical Association in Oklahoma, has been named director of the new museum of the Great Lakes.

The new regional museum is located at 1700 Center Avenue in Bay City where it owns extensive property. The Museum will open to the public this Spring, and long-range plans are being formulated for the eventual construction of a specially designed new building to house the museum collections.

Tong points out that there is no current museum devoted to the environmental and ecological aspects of man's history and relationship to the Great Plains environment, yet the lakes themselves have had a more important impact on the history, cultural development and economic growth of North America than almost any other section of the country.

Besides developing interpretative exhibits on the history, environment and ecology of the Great Lakes, the new museum also plans the establishment of a Great Lakes information center, and research programs into the fields of pollution, history, economic development and environmental archaeology within the next year or so.

Museums devoted to interpretation within natural geographical regions are comparatively a new concept, and the Great

Lakes is of prime importance in having such a museum devoted to its history, Tong explained.

Governed by a twenty-one man board of trustees of the Bay County Historical Society, the Museum of the Great Lakes is receiving financial support from the county, board of education, and membership dues and contributions.

The Museum of the Great Lakes has taken over the extensive historical collection of the Bay County Museum, including artifacts, manuscript and archival material, and library.

The new museum plans to establish cooperative relationships with the Great Lakes Basin Commission, Upper Great Lakes Regional Commission, International Association for Great Lakes Research, and the Great Lakes Foundation, and other groups working toward understanding of North America's inland seas, their history, economics and problems. "We want to get involved," Tong says, "with others on solving some of the knotty problems of man's relationship to the lakes, past, present, and future."

Henry G. Rexer, Bay City insurance executive, is president of the Museum of the Great Lakes.

RECENT ACCESSIONS TO THE LIBRARY

The following list gives the titles of books accessioned and catalogued in the library of the Oklahoma Historical Society, by Mrs. Alene Simpson, Librarian, from July 1, 1968 to July 1, 1969:

- Aballi, Dr. Ángel Arturo. *Dr. Joaquín L. Dueñas y Pinto, 1859-1910*. La Habana, Cuba: el Consejo Científico, Ministerio de Salud Pública, 1967. 110 pp.
- Adams, Andy. *Reed Anthony, Cowman: An Autobiography*. New York: Houghton, Mifflin & Co., 1907. 384 pp.
- Adams, John. *Inaugural Address*. Americanization Dept., Veterans of Foreign Wars. 7 pp.
- Adams, Ramon F. *Western Words*. Norman: University of Oklahoma Press, 1968. 355 pp.
- Addington, David W. *Voice and the Perception of Personality: An Experimental Study*. Stillwater: Oklahoma State University, 1968. 75 pp.
- Alabama Telephone Co., Inc., *Telephone Directory — Aliceville, Carrollton, Ethelville, Gordo, Panola, Reform*. Aliceville, Ala., 1964. 34 pp.
- Albaugh, William A. and others. *Confederate Handguns*. Philadelphia: Riling and Lentz, 1963. 249 pp.
- Alexander, Edwin P. *The Collector's Book of the Locomotive*. New York: Bramhill House, 1966. 197 pp.
- American Clan Gregor Society. *1968 Year Book . . .* Washington, D. C., 1968. 80 pp.
- American Farmer*. Baltimore, 1819-20. 416 pp.
- American Folklore Society. *An Analytical Index to the Journal of American Folklore*. Philadelphia, 1958. vols. 1-70. 384 pp.
- American Heritage*. New York: American Heritage Pub. Co., 1968-69. vols. 19-20.
- American Historical Association. *Annual Report*. Washington, D. C., 1956, 1957 and 1966.
- American Historical Society, Inc. *Stuart and Allied Families*. New York, 1938. 149 pp.
- American Indian Magazine, The*. Washington, D. C.: Society of American Indians, 1916. 102 pp.
- American Library Association. *Anglo-American Cataloging Rules*. Chicago, 1967. 400 pp.
- American Library Association. *Proceedings . . .* Chicago, 1967, 292 pp.
- American Scene, The*. Tulsa: Gilcrease Institute, 1966-68. vols. 7-9.
- American West, The*. Salt Lake City: Western History Association, 1964-68. vols. 1-5.
- American Women*. Los Angeles: American Publications, Inc., 1937. 826 pp.
- Americanism*. Americanization Department, Veterans of Foreign Wars. 27 pp.
- America's Builders: The Yearbook of Construction, 1967-68*. Pepperdine College Press, 1968. 196 pp.
- Anderson, Col. John. *Early History of Western Jackson County, Michigan*. 1871. 15 pp.
- Angell, James Rowland. *Psychology*. New York: Henry Holt & Co., 1908. 458 pp.
- Antiques Magazine. The International Antiques Yearbook, 1966-1967*. New York: Crown Publishers, 1967. 1,110 pp.
- Babb, T. A. *In the Bosom of the Comanches*. Amarillo, Texas, 1912. 146 pp.
- Baggette, Julia. *The Heart Remembers*. 1944.
- Bahos, Charles Lee. *John Ross: Unionist or Secessionists in 1861*. Tulsa, 1968. 141 pp.

- Baldwin, Joseph G. *The Flush Times of Alabama and Mississippi*. New York: D. Appleton & Company, 1898. 329 pp.
- Ballenger, Thomas Lee. *The Ballenger Family*. Tahlequah, 1963.
- Ballenger, Thomas Lee. *First Baptist Church of Tahlequah, Oklahoma*. Muskogee, 1946. 36 pp.
- Ballenger, Thomas Lee. *History of the First United Methodist Church of Tahlequah, Oklahoma*. Tahlequah, Okla.: Markoma Press, 1968. 31 pp.
- Ballenger, Thomas Lee. *Story of the Banking Business in Tahlequah, Oklahoma*. Tahlequah, Okla.: Tahlequah Printing Co., 1968. 19 pp.
- Banta, R. E. *The Ohio Valley: A Students' Guide to Localized History*. New York: Columbia University, 1966. 40 pp.
- Bar Register, The*. Summit, N. J.: Bar Register Company, Inc., 1968.
- Barker, Eugene C. *The Life of Stephen F. Austin*. Nashville: Cokesbury Press, 1925. 551 pp.
- Bass, Althea. *Cherokee Messenger*. Norman: University of Oklahoma Press, 1968. 348 pp.
- Baughman, Robert W. *Kansas Post Office, May 29, 1828 - Aug. 3, 1961*. Topeka, Kan.: Kansas State Historical Society, 1961. 256 pp.
- Beck, Robert H. *Curriculum Imperative: Survival of Self in Society*. Lincoln, Neb.: University of Nebraska, 1968. 75 pp.
- Beck, Warren A. and Haase, Ynez D. *Historical Atlas of New Mexico*. Norman: University of Oklahoma Press, 1969. 62 pp.
- Bell, Horace. *Reminiscences of a Ranger*. Santa Barbara: Wallace Hebbard, 1927. 499 pp.
- Bergmann, Leola Nelson. *The Negro in Iowa*. Iowa City, Iowa: State Historical Society of Iowa, 1969. 96 pp.
- Bibliography of Reports and Manuals: United Funds and Community Health and Welfare Councils*. New York: United C. F. & Councils of America, 1969. 15 pp.
- Billington, Monroe Lee. *Thomas P. Gore: The Blind Senator from Oklahoma*. Lawrence, Kan.: University of Kansas Press, 1967. 229 pp.
- Blake, Irving H. and Blake, Abigail K. *An Ecological Study of Timberline and Alpine Areas, Mount Lincoln, Park County, Colorado*. Lincoln, Neb.: University of Nebraska, 1969. 59 pp.
- Bloomington-Normal Genealogical Society. *Gleanings from the Heart of the Cornbelt*. Normal, Ill., 1967. 120 pp.
- Boeckh, August. *An Interpretation and Criticism*. Norman: University of Oklahoma Press, 1968. 173 pp.
- Boise City News: Historical and Anniversary Edition*, 1968.
- Bowden, Clyde N., comp. *Catalog of the Inland Rivers Library*. Cincinnati: Public Library of Cincinnati and Hamilton County, 1968. 153 pp.
- Bower, B. M. *The Long Shadow*. New York: Grosset & Dunlap, 1908. 320 pp.
- Bower, B. M. *Van Patten*. Boston: Little, Brown & Co., 1926. 290 pp.
- Bowker (R. R.), Co. *Subject Guide to Books in Print*. New York, 1968. 2 vols.
- Bownocker, John Adams. *The Occurrence and Exploration of Petroleum and Natural Gas in Ohio*. Columbus, Ohio: U. S. Geological Survey, 1903. 320 pp.
- Boyer, William W., ed. *Issues—1968*. Lawrence, Kan.: University Press of Kansas, 1968. 139 pp.
- Bradley, Preston. *New Wealth for You*. New York: Frederick A. Stokes Co., 1941. 164 pp.

- Braswell, Vernon S. *The Oklahoma Free Homes Bill (1892-1900)*. Norman, 1965. 139 pp.
- Brennen, Jessie Warren, comp. *Family Records*. 1950. 109 pp.
- Brininstool, E. A. *Trail Dust of a Maverick*. Los Angeles: Gem Pub. Co., 1926. 94 pp.
- Brinton, D. G. *The National Legend of the Chahta-Muskogee Tribes*. Morrisania, N. Y., 1870. 13 pp.
- Brooks, Elbridge S. *The Story of the American Indian*. Boston: Lothrop, 1887. 312 pp.
- Brown, Edwards. *Rimfire Rifleman*. Harrisburg, Pa.: Stackpole Co., 1947. 320 pp.
- Brown, Rodney H. *American Polearms: 1526-1865*. New Milford, Conn.: N. Flayderman, 1967. 198 pp.
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BOOK REVIEWS

Winds of Opportunity. By Robert Calvert. Foreword by Dr. George L. Cross (Scarsdale Press, 1969, Pp. 300. \$4.85.)

In the Foreword Dr. George Cross says of *Winds of Opportunity*: "It is the story of a remarkable man whose working career started as a part-time employee of the Santa Fe railroad at the age of ten and continued without interruption for the next seventy years as a wage earner, teacher, university professor, research chemist, patent attorney, lecturer and author. It is the story of a man who had extraordinary ability to learn and having learned, was able to synthesize wisdom from his learning. Finally, it is a story of a man, who having learned and become wise, sought to share his learning and wisdom with others, especially young people, hoping thereby to provide stimulation and encouragement for his fellow man."

Mr. Calvert does share both the hard and the high moments of his life and sometimes the hard times seem more adventuresome. It was in August, 1895, when the Calvert family including three boys and four girls left Judsonia, Arkansas for a three-week, four hundred mile trek to a farm near Guthrie, Oklahoma Territory. They crossed lands owned and occupied by Indians, heard the howl of the coyote at night, saw scores of quail and various birds by day and avoided quicksand and other pitfalls along the way. Finally, they reached their 160-acre farm in Oklahoma Territory for which their father had traded a small fruit farm in Arkansas. In their new home they experienced their first cyclones, dust storms and prairie fires. They felt fortunate that their father, in addition to his work on the farm, had been elected principal of the three-room school in Mulhall at \$65 per month. So a life devoted to work and education for the whole family was begun, yet there were many "exciting experiences." Part of the fun in the untried Territory of Oklahoma began several days after their arrival when the children watched the cowboys from the 2,000-acre Mulhall Ranch across the road from their farm unload and dip cattle.

The "exciting experiences" continued in Mr. Calvert's life, reviewed in the Foreword: "To read the book is to meet also such distinguished personalities as Helen Keller, Thomas Alva Edison, John Burroughs and a great many outstanding alumni of the University of Oklahoma. It is to sit on the stage with Woodrow Wilson when he spoke in Carnegie Hall in the Campaign of 1912. It is to crash two national conventions on the nominating nights and

to ride literally on the Teddy Roosevelt-Hiram Johnson bandwagon . . . It is to listen to John D. Rockefeller, Jr. testify before a senate committee; to hear the anarchist Emma Goldman review a book; and be present as a spectator at a rally of the Industrial Workers of the World in 1913."

It can be said that Robert Calvert remained a student and teacher. The classrooms where he taught at the Universities of Oklahoma and Chicago and Columbia University and the laboratories of Dupont, Johns-Manville and Borden were exciting areas of discovery for him. In World War I, he invented a process of separating saltpetre, then in very short supply and great demand, for making a special black powder fuse for the U.S. Army's shrapnel. He speeded up the rate of filtration in sugar refining four or five times through a process of heating the standard diatomite filteraid powder at 800 degrees with a fluxing chemical. He made the world's first synthetic resin fiber — a polyester fiber which later turned out to be an isomer or twin brother of dacron, which led to our modern extensive use of "silk substitutes."

Aside from his accomplishments as a scientist, the book stands as a work of encouragement to others who will follow. His team spirit and optimism leave the feeling that winds of opportunity still surround us. Mr. Calvert says in his preface: "*Winds of Opportunity* places you in position to observe life's trial heats, so that, when you have the final chance to start or finish your own race, you will know from the preliminaries something of the course, human capabilities and limitations, hazards in advancing too early, too fast and too easily and obstacles in the form of blunders to be avoided."

—Eula Fullerton

Oklahoma City, Oklahoma

A Short History of the Mail Service. By Carl H. Scheele. (Smithsonian Institution Press, Washington, D. C., 1970. \$6.95.)

Few examples of public service carry so many centuries of dramatic history as the development of postal systems throughout the ages. *A Short History of the Mail Service* provides an Old World background for the survey of United States mail service from colonial times to the present.

The evolution of transporting written communication is the story of royal doles and enterprising businessmen; family control and transportation barons. Expansion of the New World and the necessity to communicate with Europe and the Western frontiers

taxed the ingenuity of the men in charge of His Majesty's Post and later the express handlers, couriers, and administrators of the young United States.

Throughout its 19th-century development a philosophy of public service dominated postal management. The Western Pony Express, with its cry of "The mail's got to go through," repeated along the relay stations of its frantic overland route across the continent, still conjures the most stirring visions of American postal Service. But it was a financial failure for its private owners and by 1875, and the establishment of the Universal Postal Union, the inherent right of government to monopolize mail service was unchallenged.

Despite contemporary problems, the record of the U.S. Post Office Department is one of striking advancement. Technological improvements of the past 100 years have been uniquely adapted; the automobile had a revolutionary effect on distribution methods; pioneer air service constitutes a dramatic story in itself.

Mr. Scheele, Associate Curator in Charge of the Division of Philately and Postal History at the Smithsonian, examines these and other elements in a straightforward narration that illuminates the problems and the progress of the past two centuries.

There are thirteen tables citing revenue patterns and volume increases. An extensive bibliography is included.

—Maureen Jacoby
Smithsonian Institution

Washington, D. C.

Tennessee's War 1861-1865. Described by Participants. Compiled and Edited by Stanley F. Horn. (Distributed by the Tennessee Historical Commission, Nashville, 1965). PP. 364. \$5.95.

Here is a book which draws one back into the realities of the Civil War. By focusing on one state, the author has telescoped most of the war in the South — its hesitant, indecisive entry into the war, its hurried and inadequate provision, and its panic and valour.

The strength of the book is in the rare collection and assemblage by the editor of more than 300 pages of selected writings by persons who were there — both sides, Union and Confederate. Their personal accounts give insight into this great war and reveal the spirit and life of the soldier in all wars.

There are accounts written by the man on the street as well as by qualified observers and men who afterward became famous. This incident took place minutes before the battle of Shiloh: "Day broke with every promise of a fine day. Next to me, on my right, was a boy of seventeen, Henry Parker. I remember it because, while we stood-at-ease, he drew my attention to some violets at his feet, and said 'It would be a good idea to put a few into my cap. Perhaps the Yanks won't shoot me if they see me wearing such flowers for they are a sign of peace.' 'Capital, said I, 'I will do the same.' We plucked a bunch, and arranged the violets in our caps. The men in the ranks laughed at our proceedings . . ." The flowers, "a sign of peace," brought luck at least to one of these two boys, perhaps peace to the other. The narrator, Henry M. Stanley, a native of England, was living in Arkansas in 1861, and lived to tell this story and to gain worldwide fame as writer and explorer. Another writer included in the collection who later became famous with his best seller, *Ben Hur*, was General Lew Wallace of the Federal Army.

There are several exciting stories of espionage which took place during the first half of the year 1863, "while the armies of Bragg and Rosecrans were chained into inaction by their own self-imposed strategic and tactical limitations . . ." Then there are passages which tell of near victories paid in blood by the valiant men on the line and lost by the lack of nerve or decision on the part of the Generals. The following paragraph is a typical description giving both sides of many of the battles fought: "The Confederates launched their attack early in the morning, but there was a lack of coordination in their efforts, and the assault was repulsed with considerable loss of life. Then and later there was controversy as to where the fault lay; but, regardless of the reason, it was indisputably a Confederate defeat. Surprisingly, however, the victorious General Smith started a retreat to Memphis the next morning, closely pursued by Forrest, who had been restored to command of the troops by General Lee"

There are crucial mistakes related such as the choice of site of Fort Henry and Fort Donelson which were later found to be indefensible. And finally, there is no happy ending.

In April of 1865, General Joseph E. Johnston surrendered in North Carolina to General William T. Sherman, General Robert E. Lee to General Ulysses S. Grant in Virginia and so the great struggle was ended. Among the remnant of Confederate soldiers was a certain Lieutenant Ridley, who, realizing the historical significance of the events through which he was living set down for

posterity his experiences in making his way home. "And now around the camp fires tonight we are discussing the surrender. All is confusion and unrest, and the stern realization that we are subdued, and ruined, is upon us. The proud-spirited Southern people, all in a state of the veriest, the most sublimated sorrow. Oh! how is it in the Yankee camp to-night? Rejoicing, triumphing and revelling in the idea of glory. Think of it, the big dog has simply got the little dog down. Two million seven hundred thousand have gotten the upper hand of six hundred thousand, who have worn themselves weary after losing half — the giant has put his foot on the Lilliputian and calls it glory! Bosh! — Confucius says 'Our greatest glory is not in the never falling, but in rising every time we fall.' And so let's philosophize, 'What can't be cured, must be endured.'"

Young Ridley lived to go home again. He arrived in time to welcome home his four brothers and his father and life began again for him. But the South had endured much and would endure more. This war was a war of terrible and tragic mistakes and America would philosophize over these battles for years to come. *Tennessee's War — Described by Participants* will give students of history or current events a better understanding and clearer vision of the purposes and higher goals for our Republic, the United States. The Tennessee Historical Commission in Nashville has made an outstanding contribution to history in the publication of this volume.

— Patricia Lester

Oklahoma City, Oklahoma

BOOKS RECEIVED: EDITORIAL DEPARTMENT
The Chronicles of Oklahoma

War Cries on Horseback. The Story of the Indian Wars of the Great Plains. By Stephen Longstreet. Doubleday & Company, Inc., Publisher. January 9, 1970. \$7.95.

War Cries on Horseback, as the name implies, is a story of violence and conflict between the Indians and the westward moving white man. Mr. Longstreet believes in "telling it like it is", or was, and that he does with many a sardonic comment. He gives us a closeup of many of the leading characters in this famous drama . . . Cochise, Geronimo, Magnus Colorado, and among many others, Custer, in the chapter entitled "The Truth of the Little Big Horn" in which this tragic battle is reevaluated. Mr. Longstreet explains that "This is not a history of the Indians . . . You will find some of it here — but in the main the aim is the

history of a warfare." And that, along with some close examination of the Indian, his customs and beliefs, and an amazing collection of historic information is what it is.

The National Register of Historic Places 1969. United States Department of the Interior National Park Service, Washington, D. C. \$5.25.

More and more people are becoming aware of a need for and a recognition of their heritage. In the Foreword, Secretary of the Interior, Walter J. Hickel, states that The National Historic Preservation Act of 1966 gave "legal recognition to the cultural risks inherent in the constant change of modern life. The same dynamic forces that threaten our natural environment also endanger our ties with the past." For those who may or may not have the chance to visit all sections of this vast country of ours, this book documents the great beauty and heritage of America with more than one hundred exceptionally fine photographs of scenic and historic sites plus listings of other historical places in each of the states.

More Landmarks of Tennessee History. Edited by Robert M. McBride. Published by the Tennessee Historical Commission, Nashville, 1969. \$6.50.

This second of two volumes concerning historical landmarks in Tennessee illustrates the continued popularity of and interest in historical sites today. This volume includes over eighty photographs plus artist's sketches and each of the stories is written by an author particularly qualified to write on his subject matter.

Howling Wolf — A Cheyenne Warrior's Graphic Interpretation of His People. By Karen Daniels Petersen. (The American West Publishing Company, Palo Alto. 1968. \$14.00)

After nearly ninety years of relative obscurity, these drawings by Howling Wolf, son of the Cheyenne chief Eagle Head, have recently been rediscovered by ethnologists. Surviving in all their brilliance they represent the work of an unschooled artist who set down on paper memories of his people. Mrs. Petersen explains the cultural background of each picture as well as giving a sympathetic biography of the artist, making this a book of history as well as of art.

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF
DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY
January 29, 1970

President George H. Shirk called the meeting of the Board of Directors of the Oklahoma Historical Society to order at 10:00 a.m. on Thursday, January 29, 1970. The meeting was held in the Board Room of the Oklahoma Historical Society Building in Oklahoma City. Guests present for the meeting were Mrs. R. G. Miller, Mrs. Martha Blaine, Mr. Penn Woods, Mr. Raymond Fields, and Miss Muriel Wright.

A quorum was determined present when the following members answered roll call: Lou Allard, Henry Bass, Mrs. Edna Bowman, Q. B. Boydstun, Joe Curtis, Dr. E. E. Dale, W. D. Finney, Dr. LeRoy H. Fischer, Bob Foresman, Nolen Fuqua, Dr. A. M. Gibson, Morton R. Harrison, John E. Kirkpatrick, Joe W. McBride, W. E. McIntosh, R. G. Miller, Fisher Muldrow, Milt Phillips, Earl Boyd Pierce, Miss Genevieve Seger, George H. Shirk, and Merle Woods.

Administrative Secretary, Elmer L. Fraker, reported that Dr. James Morrison, Judge Robert Hefner, and R. M. Mountcastle had requested to be excused from the Board Meeting due to illness. A motion was made by Dr. Fischer that all members, who had so requested, be excused. Miss Seger seconded this motion. It was passed by the Board.

In his report on new members and gifts, Mr. Fraker announced that an unusually large number of new membership applications had been received during the last quarter. Sixty-seven applications had been received, which is almost double the usual number for one quarter, he said.

Miss Seger moved that the new memberships be approved and the gifts be accepted. Mrs. Bowman seconded this motion which passed.

Mr. Fraker made a brief report on the Oklahoma Historical Society Appropriation Bill, S.B. #424. In regard to a suggestion by Mr. Pierce, there was considerable discussion on the merit of making a line item in the budget bill for the barracks buildings at Fort Gibson.

In accordance with provisions of the Constitution and By-Laws of the Oklahoma Historical Society, the Administrative Secretary announced the re-election, without opposition, of Fisher Muldrow, Judge Hefner, Lou Allard, Dr. Fischer, and Bob Foresman as members of the Board of Directors to serve five year terms.

In closing his report, Mr. Fraker gave the following statistics on attendance for the past year: Sequoyah's Home — 9,000; Sod House — 3,700; Fort Washita — 48,000; Main Museum — 200,000; Library — 7,500; Newspaper Department — 1,560; and Archives — 860. An estimated 270,620 received benefit from the facilities of the Oklahoma Historical Society, either at the main building in Oklahoma City or at one of the historic sites.

Mrs. Edna Bowman, Treasurer, gave a report on the financial condition of Account No. 18 and the Life Membership Endowment Trust Fund. Mr. Pierce moved that the report of Mrs. Bowman be accepted as a true and correct statement. This motion was seconded by Mr. McIntosh and passed when put to a vote.

President Shirk asked that the Board defer until the next meeting, the Harn Memorial Collection Ceremony due to the fact that Miss Florence Wilson, donor, could not be present at the January meeting. The Board agreed.

Mr. Penn Woods, director of the Living Legends Library of Oklahoma Christian College, was introduced by Mr. Shirk. Mr. Woods explained the purpose of the Living Legends Library program. He also played a tape containing excerpts from interviews with Owen Acton, Gov. William H. Murray, L. A. Macklanburg, Stanley Draper, Sr., Allen Street, Dennis T. Flynn, Sen. Robert L. Owen, and Dr. Angelo Scott. He explained that these interviews were made in 1938 by WKY-TV. Mr. Woods donated to the Oklahoma Historical Society the discs containing the interviews of the above mentioned people.

In connection with the Living Legends Library program, Mr. Phillips introduced Mr. Raymond Fields. He said that Raymond Fields has had more to do in the past three years in the Living Legends Library program than any other single individual.

In his committee report, Mr. Phillips said that all is moving along smoothly in the Microfilming Department.

In the matter of historic sites, Mr. McIntosh stated that it had become absolutely necessary to build a caretaker's residence at the Peter Conser Site and the Sequoyah Home site. Contracts for this project had been let and work was to begin shortly.

In way of a committee report for the Museum, Dr. Fischer introduced Mrs. Martha Blaine, chief curator for the Oklahoma Historical Society.

Mrs. Blaine gave a detailed and complete report on behind the scenes work that goes into the exhibits and records keeping of the Museum. On the staff of the Museum are Mr. Bruce Joseph, Education Director; Mr. Mike Bureman, Field Supervisor; Mr. Roy Pope, Exhibits Technician; Mr. Ralph Jones, Assistant Curator; and Mrs. Ann Covalt, Secretary.

It was pointed out by Mr. Shirk that Mrs. Blaine, at the request of Governor and Mrs. Bartlett, is completing the collection of Governor Mementos for a forthcoming display.

Mr. McBride, chairman of the Publications Committee, reported that **THE CHRONICLES OF OKLAHOMA** are on time in publication. He asked the Board for approval to copyright **THE CHRONICLES OF OKLAHOMA**. Mr. Joe Curtis agreed to do any legal work involved.

Mr. Curtis moved that each issue of **THE CHRONICLES OF OKLAHOMA** be copyrighted, but the copyright should exclude newspapers who deposit their paper in the Microfilming Department. This motion was seconded by Mr. Phillips and passed by the Board.

Miss Wright pointed out that in the past articles for publication in **THE CHRONICLES OF OKLAHOMA** have been contributed. With the provision of copyright, it might be that in the future a fund will need to be set up to pay for articles for publication in **THE CHRONICLES OF OKLAHOMA**, said Miss Wright.

President Shirk called for the election of officers, stating that serious

consideration should be given to the election of officers for this term. Following are the minutes of the election as taken by Mrs. Bowman:

"President Shirk called for election of officers and requested officers nominated leave the meeting in order to permit free discussion.

Upon motion that all officers be re-elected, President Shirk announced he and the Administrative Secretary would leave the meeting until elections had been completed on these two offices, whereupon he asked for first vice-president, H. Milt Phillips, to assume the presiding officer's chair. Mr. Shirk, Mr. Fraker, administrative secretary, and all persons except Board Members, left the room. Vice-President Phillips asked Mrs. Bowman to act as temporary secretary.

The chair called for nominations for president of the Oklahoma Historical Society to serve the 1970-72 two year term. George H. Shirk was nominated by Director McBride and the nomination was seconded by numerous directors. A motion to close nominations and elect George H. Shirk president by acclamation was not accepted by the chair. Director McIntosh appealed from the decision of the chair. The vote on the motion was tied and the chair voted no. Ballots were distributed and President Shirk was elected by unanimous vote.

The chair called for nomination of Administrative Secretary. Elmer Fraker was nominated by Director Earl Boyd Pierce, seconded by Joe Curtis and other directors. The chair called for other nominations or discussion. Retirement procedures and policies of the Society were discussed by Director H. B. Bass and others. Ballots were distributed and the Directors re-elected Elmer Fraker on motion that election be by acclamation. The vote was unanimous in favor.

The directors voted unanimously that it be the consensus that a personnel committee be established and the vice-president was instructed to convey the consensus to the President with a report on discussions.

The chair named a committee to inform President Shirk and Administrative Secretary Fraker and escort them back to the meeting. Vice-president Phillips congratulated the two officers on their unanimous re-election.

President Shirk resumed the chair as presiding officer.

These minutes checked and approved as correct:

s/H. Milt Phillips

H. Milt Phillips, 1st Vice-President

President Shirk requested nominations for the positions of 1st Vice-president, 2nd Vice-president, and Treasurer. The present officers holding those positions, Milt Phillips, Fisher Muldrow, and Mrs. Edna Bowman, left the room.

A motion was made and duly seconded that all three officers be

re-elected by acclamation. When the motion was put, it was carried unanimously. By this motion, Mr. Phillips was re-elected 1st Vice-president; Mr. Muldrow, 2nd Vice-president; and Mrs. Bowman, Treasurer for terms of two years.

Mr. McBride suggested that all officers be seated at a table across one end of the room, with the members of the Board seated at a table horizontal to the head table. This suggestion was taken under consideration and President Shirk asked that the tables be arranged in such a manner for the next Board Meeting.

Mr. Shirk requested that the Board adopt a resolution expressing sorrow and grief at the passing of Governor William J. Holloway. This was approved unanimously and the secretary was instructed to make the resolution a part of the minutes.

Mr. Pierce and Mr. Boydston requested that flowers be sent to Mr. Mountcastle who is in the hospital in Muskogee. Mr. Fraker stated that this had already been taken care of.

It was pointed out to the Board that Mr. Shirk was signing all papers at the Board Meeting with the original pen of Chief John Ross.

Mr. Finney gave the final report on the Fort Sill Celebration saying that a scrapbook of all events taking place during the celebration had been presented to the Governor with the request that it be placed in the Oklahoma Historical Society. He also presented to the Oklahoma Historical Society a silver medallion and a bronze medallion commemorating the Fort Sill Centennial Celebration along with an auto license plate.

In his report on the Burkhart Estate, Mr. Shirk stated that this was no small matter to be taken lightly. The part of the estate willed to the Oklahoma Historical Society, State of Oklahoma, he said, has a net worth of approximately \$130,692, and Mr. W. Howard O'Bryan, Assistant Attorney General is representing the Oklahoma Historical Society in this matter. Mr. O'Bryan had received a complete inventory of the property, a copy of which was handed to the Administrative Secretary. It was suggested that a staff member be responsible for the inventory list and visit the site every ninety days to inspect the items.

The Executor of the Estate was authorized by the Board of Directors of the Oklahoma Historical Society to move items in the home to a fire-proof warehouse for safekeeping. This was unanimously approved by the Board.

Mr. Pierce moved that the matter of the Cherokee records contained in the Indian Archives of the Oklahoma Historical Society be laid on the table until the next meeting. This motion was seconded by Mr. Harrison and approved by the Board.

President Shirk presented to the Board a Resolution from the City of Oklahoma City in regard to the original patent to the original plat for Oklahoma City. Mr. Phillips moved that the Society accept the Resolution. There was unanimous consent from the Board.

In regard to the sale of land at Herrod's of London, Mr. Shirk said that Chief McIntosh would be going over during the summer holidays. He

also said Herrod's is sending a man to Oklahoma to purchase a supply of Indian articles to be placed for sale at Herrod's. It was suggested by Mr. Pierce that President Shirk write to the Principle Chief of the Cherokees and request that seven people, six Indian children and a chaperone, be allowed to go to England with Mr. McIntosh. From the first monies derived from this land sale, the tribe would be reimbursed for their expenses. No formal action was taken on this suggestion.

It was announced that a Federal Grant of \$7,220 is being received by Oklahoma to help with work on the National Register of Historic Sites. Also that Mr. Kent Ruth of Geary has been retained to do the work formerly done by Mr. Lary Rampp. Approval was asked, and given by the Board, to retain professional people to help Mr. Ruth with his work.

Mr. Fraker announced that the Oklahoma Oil Museum, through the Oklahoma Historical Society, had received oil rights to approximately 3,000 acres of land in Rogers County, Oklahoma. This gift, which could run close to \$20,000 in value, was given by Mrs. Carolyn Skelley Burford.

If there are no conflicting events, said Mr. Fraker, the Oklahoma Historical Society Tour will be held on Thursday, Friday, and Saturday, June 4, 5, and 6, 1970. As stated at the previous Board Meeting, the tour will be in northern Oklahoma with both nights and one day devoted to Tulsa.

Mr. Bass moved that the tour, as outlined by Mr. Fraker, be accepted. Mr. Phillips seconded the motion which passed.

Dr. Fischer reported that the Honey Springs Battlefield Park movement seems to be gaining momentum. At a recent committee meeting, he stated, a decision had been made to concentrate on developing the land which has been acquired so far.

The flags that are on display in the American Legion office, Mr. Phillips said, are not easy for the general public to see. He asked the Board to authorize the President and Administrative Secretary to make arrangements for these flags to be displayed in the Oklahoma Historical Society building. Mr. Curtis so moved and Mr. Muldrow seconded. The motion passed.

Mr. Fraker asked that members of the Executive Committee meet in the Library following the adjournment to view proposed improvements planned there.

It was determined there was no further business to come before the meeting. Adjournment was made at 1:00 p.m.

GEORGE H. SHIRK, PRESIDENT
ELMER L. FRAKER, ADMINISTRATIVE SECRETARY

RESOLUTION

WHEREAS Almighty God in His infinite wisdom has seen fit to call from this earthly scene our beloved friend and honored benefactor, William J. Holloway; and

WHEREAS William J. Holloway, while Governor of the State of Oklahoma, gave great aid and assistance to the Oklahoma Historical

Society in the erection of the Oklahoma Historical Society Building; and

WHEREAS through all the subsequent years he has been a stalwart supporter of every progressive effort made in behalf of the Oklahoma Historical Society; and

WHEREAS his gentle kindness and valued advice have always been made manifest to the members of the staff and to the Board of Directors of the Oklahoma Historical Society; and

WHEREAS his going leaves a deep sadness in our hearts for this great friend and fellow worker

NOW, THEREFORE BE IT RESOLVED that we the members of the Board of Directors of the Oklahoma Historical Society in regular session assembled on this 29th day of January, 1970, speaking for the entire membership of our organization, do herewith extend our most sincere sympathies and condolences to his son, William J. Holloway, Jr., and other members of the Holloway family on the loss of this great Oklahoman and great American, William J. Holloway.

GEORGE H. SHIRK, PRESIDENT

ELMER L. FRAKER, ADMINISTRATIVE SECRETARY

GIFTS PRESENTED IN THE FOURTH QUARTER,

January 15, 1970

LIBRARY:

Orange and Black Yearbooks, 1926, 27, 28 of Harbor Springs, Michigan High School.

The Harborais of 1929, Harbor Springs, Michigan Senior Class, Vol. 13.
Skyways 1949 — 2nd Philippine Aviation Training Program Pensionados in Oklahoma City, Oklahoma.

The Spectrum 1930 & 1931 of North-Central College, Naperville, Illinois.
The Wolverine for 1932, 1933, 1934, 1935 of Michigan State College, Lansing, Michigan.

Donor: Mrs. Robert M. Gardner, 6030 South Harvey Avenue, Oklahoma City.

1965 Oklahoma Brand Book, 4th Supplement.

Donor: Ellis Freeny, Oklahoma Cattlemen's Association, Brand Division, Oklahoma City.

Scientific and Technical Communication.

Donor: National Research Council, 2101 Constitution Avenue, Washington, D. C.

Surname Index, Oklahoma Genealogical Society Special Publication No. 1, Edited by Jo Anne Garrison, 1969.

Manuscripts of the American Revolution — In the Boston Public Library — A descriptive Catalog, 1968.

Journal of Presbyterian History, Vol. 47, No. 2, June 1969.

Kane County, Illinois Sesquicentennial, 1818-1968.

Kane County Congratulates the State of Illinois on its Sesquicentennial, 1818-1968.

Kane County Information Booklet, 1968.

The Surname Index, 1968/1969 of St. Louis Genealogical Society.

The Arkansas Family Historian, Vol. VI, Nos. 2 & 3, April-Sept., 1968.

Car-Del Scribe, Vol. 6, Nos. 2, 3, & 4, 1969.

Bulletin of the Stamford, Connecticut Genealogical Society, Vol. 11, Nos. 1, 3, & 3, 1968-1969.

Ancestry — Quarterly Bulletin of Palm Beach County, Florida Genealogical Society, Vol. 4, Nos. 1-4, 1969.

Hawkeye Heritage — Iowa Genealogical Society, Vol. IV, Nos. 1-4, 1969.

The East Kentuckian, Vol. IV, Nos. 1-3, 1968.

Northland Newsletter, Range Genealogical Society, Buhl, Minnesota, Vol. I, Nos. 1-4, 1969.

The Carolinas Genealogical Society Bulletin, Vol. V, Nos. 1-8, 1968-1969.

Bulletin of Local History and Genealogy — West Texas Genealogical Society, Vol. XI, Nos. 1-4, 1969.

The Treeshaker, Vol. VII, Nos. 1-2, 1969.

Lifeline — Genealogical Society of Riverside, California, Vol. IV, Nos. 1-3, 1969.

Ash Tree Echo, Vol. IV, Nos. 1-4, 1969.

Flint Genealogical Quarterly, Vol. 11, Nos. 1-4, 1969.

Ohio Records and Pioneer Families, Vol. X, Nos. 1-4, 1969.

The Idaho Genealogical Society Quarterly, Vol. 12, Nos. 1-4, 1969.

Illiana Genealogist, Vol. 5, Nos. 1-4, 1969.

Mississippi Genealogy and Local History, Vol. 1, Nos. 1-4, 1969.

Donor: Oklahoma Genealogical Society, Oklahoma City, Oklahoma

Thomas Gilcrease by David Randolph Milsten, 1969.

Donor: Morton R. Harrison, Tulsa, Oklahoma.

Greater Tulsa Southwestern Bell Telephone Directory, October 1968.

Donor: Miss Irene Reese, 1402 Thompson Bldg., Tulsa.

The Military Order of the Loyal Legion of the United States — 4 Register ledgers — (Nos. 1-500; 1001-1500; 1501-2000; 5501-5526).

Donor: Mrs. Lucille K. Farling, 101 N. 7th, Apt. #2, Ponca City.

The Cory Family by Harry Harmon Cory, 1941.

The Cory Family by Harry Harmon Cory, July 1966, Second Edition.

The East Tennessee Historical Society Publications — Nos. 23, 33, 34, 35, 36, 37 and 38.

Cumulative Index, 1949-1963.

Genealogy and History — Nov. 1945; June 1955; 1963 and 1964.

Stirpes, March 1967.

Flashback — Washington County, Arkansas, May 1957.

Echoes, Sept. 1967.

"Arkansas Travelers" — 1850 Census — Compiled by Inez Raney Waldenmaier.

Genealogical Atlas of the United States, 1966 by Everton Publishing Co.

The Surname Index, 1963 by Edwinna Bierman, San Gabriel, California.

Genealogical Newsletter by Inez Waldenmaier, 1960, 1961, 1962, and 1963.

Annual Index to Genealogical Periodicals and Family Histories, 1963.

Oklahoma Genealogical Society Quarterly, Vol. 12, Nos. 1 & 2, 1967; Vol. 14, No. 3, Sept. 1969.

Missouri Historical Society Quarterly — 20 back issues.

Donor: Dr. & Mrs. William Pugsley, Oklahoma City.

Eulogies — Heroes, Family, Friends by Gerald M. Van Dyke, 1969.

Donor: Author, 721 N. W. Street, Cordell.

The Golden Years by Carolyn Thorp King.

Donor: Author, 706 Dayton, Muskogee, 74401.

Yearbook of Woman's Culture Club, El Reno, Oklahoma, 1969-1970.
Donor: Mrs. E. C. Johnston, Box 488, El Reno, Okla.

Counties of Illinois — Their Origin and Evolution by Paul Powell.
Collection of Orbit Section of Sunday Oklahoman.
Donor: The Harry Stallings, Oklahoma City.

Scrogin, Scroggin, Scroggins by A. E. Scroggins.
Donor: Author, 905 Avenue A, Dodge City, Kan.

"Chiefswood" Home and Birthplace of E. Pauline Johnson (Tekahionwake), Mohawk Indian Poetess.
Niagra-Iroquois — The Historic Niagra Peninsula.
Donor: Mrs. Wiley Lowery, Oklahoma City.

Oklahoma - Pontotoc County Quarterly, Vol 1, No. 1, 1969.
Donor: Mrs. M. P. Hatchett, Editor, Pontotoc County Oklahoma Historical and Genealogical Society.

A History of Early Capitol Hill — 60 Years of Community Service.
Donor: E. M. Sellers of *The Capitol Hill Beacon* Publishing Company.

Landmark Architecture of Allegheny County Pennsylvania by James D. Van Trump and Arthur P. Ziegler, Jr., 1967.
Donor: William T. Murtagh, Keeper of the National Register, Washington, D. C.

Makers of Oklahoma edited by John H. N. Tindall, 1905.
Donor: San Diego Public Library, 820 E. Street, San Diego, Calif.

Map: Oil and Gas Field with Road Map of Oklahoma — Revised Through June 1968.
Donor: Robert L. Atkins, 2019 N.W. 19th, Oklahoma City.

Microfilm: The Murphy Family Tree.
Donor: Thomas A. Murphy, 7825 5th Ave., N. E., Seattle, Wash.

Map: Railroad Map of Oklahoma, 1969.
Standard Railroads Operating in Oklahoma, 1969.
Donor: Chester Davis, Survey Division, Oklahoma Highway Department, 407 Jim Thorpe Bldg., Oklahoma City.

Some Paschal Ancestors, Descendants and Allied Families, compiled by Rosa Lee Price Paschal (Mrs. John Jones Paschal), 1969.
Donor: Mr. and Mrs. Paschal, 4131 Council Circle, Jackson, Miss.

The Mounds Monitor (Mounds, Creek Nation, Indian Territory), the following:
Vol. 1, No. 8, Friday, November 8, 1901.
Vol. 1, No. 10, Friday, November 22, 1901.
Vol. 1, No. 11, Friday, November 29, 1901 (2 copies).
Vol. 1, No. 12, Friday, December 6, 1901 (2 copies).
Vol. 1, No. 14, Friday, December 20, 1901 (2 copies):
Vol. 1, No. 15, Friday, December 27, 1901.
Donor: Mrs. Shirley B. Lebo, 221 E Street S.E., Washington, D. C.

The National Register of Historic Places, 1968, compiled by Dr. William J. Murtagh, Keeper of the National Register.

Fort Sill Centennial Armed Forces Day, May 17, 1969.

"The History of Crawford County, Arkansas" — *Press-Argus* Centennial Edition, Sept. 2, 1961.

The Lawton Constitution and Morning Press, January 5, 1969 — Fort Sill Centennial Edition.

"A Visit to St. Luke's Methodist Church", 1968.

Parade — Tinker Air Force Base, Oklahoma, April 25, 1969.

Greene County, New York — A Short History by Mabel Parker Smith.

Standards for Accreditation of Hospitals, 1969.

"This is India (in Oklahoma, that is)" — Potentate's Handbook, 1969.

Code of Professional Responsibility and Canons of Judicial Ethics — American Bar Association.

Study and Action Committee on Services and Facilities in Low Income Neighborhoods.

Historic Preservation, 1968 Annual Report, State of Hawaii.

Oklahoma City — People — Magazine, Vol. 1, No. 1, December 1969.

Traffic Safety by Dan Hollingsworth.

Donor: George H. Shirk, Oklahoma City.

The Dobry Family by Frank Dobry, 1969, Oklahoma City.

Donor: Mrs. Rachel Wall Dobry by Mrs. Frank Followwill, Oklahoma City.

Personnel Directory, 1969-1970, Oklahoma City Public Schools.

Donor: William L. Shell, Board of Education, Administration Building, 900 North Klein, Oklahoma City.

Oklahoma City — People — Magazine, Vol. 1, No. 1, December 1969.

Donor: Mrs. Mary McCain, Oklahoma City.

History of Old Tishomingo County, Mississippi Territory, edited and compiled by Fan Alexander Cochran, 1969.

Donor: Author, 3200 N. W. 35th, Oklahoma City.

Indian Pottery of the Southwest Post Spanish Period, Clark Field, 1960.

The Art and the Romance of Indian Basketry, Clark Field, 1964.

Donor: Bruce Joseph, Oklahoma City.

The Oklahoma Baptist Chronicle, Vol. XII, No. 2, Autumn, 1969.

Donor: Editor, J. M. Gaskin, Durant, Oklahoma.

Mississippi Maps, 1816-1873.

Mississippi Territory ca 1816; Early Statehood ca 1821; Growth of Counties ca 1842; Steamboat days ca 1850; Reconstruction Period ca 1873.

Donor: Department of Archives and History, Jackson, Miss.

Oklahoma's Historical Edition, Vol. 38, No. 8, 1969 of *Oklahoma Statehouse Reporter*.

Donor: Cecil Ritter, Publisher, Box 3182 State Capitol Station, Oklahoma City.

"Welcome to Eagletown, Oklahoma" — Eagletown Jaycees.

Donor: Charles Avery McCoy, 807 Cedar Street, Yukon.

Confederate Soldiers, Sailors and Civilians Who Died as Prisoners-of-War at Camp Douglas, Chicago, Illinois, 1862-1865, by Edgar Gray Publications.

Donor: Mrs. Adelia Sallee, Norman.

House Rules and Joint Rules for the Second Legislative Assembly of the Territory of Oklahoma, 1893. Personal copy of the late O. P. Rathbun.

Donor: Mrs. H. I. Stout, 1115 Delaware Street, Anderson, Ind.

From then 'til now — History of McCutchanville (Indiana) by Kenneth P. McCutchan, 1969.

Indiana Magazine of History, Vol. LXV, No. 3, Sept. 1969.

Donor: Donald S. Kennedy, Oklahoma City.

Who's Who of American Women — Fifth Edition, 1968-1969.

Donor: Muriel H. Wright, Oklahoma City.

PHOTOGRAPHS DEPARTMENT:

Oklahoma City, April 1909 — large photograph.

Oklahoma City, April 1910 — large photograph.

Donor: William Fremont Harn Memorial Collection.

INDIAN ARCHIVES DIVISION:

Membership roll of Iowa Tribe of Oklahoma, dated Dec. 14, 1967.

Donor: Anadarko Area Office, Anadarko, Okla.

The Oklahoma Indian Council Calendar dated Nov. 6, 1969

The Oklahoma City Indian News, Dec. 21, 1969 and Jan. 8, 1970

Donor: Will T. Nelson, Oklahoma City, Okla.

Minutes of Executive Committee, Cherokee Nation, Sept. 5, 1969.

Donor: Cherokee Nation of Oklahoma, Tahlequah, Okla.

Minutes of quarterly meeting Intertribal Council Five Civilized Tribes, of Oct. 10, 1969.

Donor: Muskogee Area Office, Muskogee, Okla.

The English Westerner's Brand Book, Vol. 4, Issues No. 2 and 3.

Donor: Jeffrey Burton, 143 Grays Inn Road, London, England.

Nebraska Palladium, Bulletin No. 4, Guide to State Archives, Oct. 1969.

Donor: Nebraska State Historical Society, Lincoln, Neb.

The West, Jan. 1970.

Donor: Wayne T. Walker, Joplin, Mo.

Genealogy chart family of Rev. William Fowler Vaill, missionary.

Donor: Mrs. John V. Bradley, 705 Lee, Butler, Mo. 67730.

Separate from Southern Medical Bulletin, "Medical Organization in the Cherokee Nation 1870-1900" by Richard E. Martin and R. Palmer Howard.

Donor: R. Palmer Howard, Oklahoma City, Okla.

Henry B. Bass *News Letters*, Oct., Nov. & Dec. 1969.

Indian Affairs, June-Aug. 1968 and July-Sept. 1969.

The Amerindian, July-Aug. 1969 and Sept.-Oct. 1969.

Minutes of meeting of Executive Committee, Cherokee Nation, Sept. 26, 1969.

Congressional Record, 57th Congress, 1st Session, with speech "Long Awaited Day of Justice Comes to the American Indian" speech of Ed Edmondson, in House of Representatives April 12, 1961.

Reply Brief of petitioner in case Cherokee Nation of Oklahoma v. State of

Oklahoma, et al, No. 59, in Supreme Court of United States, Oct. 1969.
Donor: N. B. Johnson, Oklahoma City, Okla.

Newspaper clipping from *The Denison Herald*, Sunday, Nov. 2, 1969.
Donor: Dr. David Parsons, Levelland, Tex.

Records from Indian Claims Commission:

Native Village of Unalakleet v. U. S., Docket No. 285; Aleut Community of St. Paul Island v. U. S., Docket No. 352; Aleut Tribe v. U. S., Docket No. 369; Opinion on Motions; Order Denying Motions and Granting other Relief.

Lipan Apache, Mescalero Apache Indians, et al vs U. S., Docket No. 22-C: Interlocutory Order; Opinion of Commission.

Bay Mills Community Sault Ste. Marie Bands v. U. S., Docket No. 18F: Findings of Fact; Interlocutory Order; Opinion of Commission.

Bay Mills Community Sault Ste. Marie Bands v. U. S., Docket No. 18R: Findings of fact; Interlocutory Order; Opinion of Commission.

Caddo Tribe of Oklahoma v. U. S., Docket No. 226: Order; Opinion of Commission.

Lake Superior Bands of Chippewa Indians v. U. S., Docket No. 18E; Ottawa and Chippewa Indians of Michigan v. U. S., Docket No. 58: Opinion of Commission; Findings of Fact; Third Interlocutory Order; Order on Defendant's Motion for Preliminary Adjudication.

C. W. McGee, et al, Creek Nation East of Mississippi v. U. S., Docket No. 280: Order denying plaintiff's motion to amend and granting defendant's alternative motion to dismiss in part; Opinion on above motion.

Iowa Tribe of Kansas, Nebraska & Iowa and Sac & Fox Tribe of Missouri and Iowa v. U. S., Docket No. 135: Opinion of Commission; Order on Remand and Amending Findings of Fact and opinion; map.

Klamath and Modoc Tribes v. U. S., Docket No. 100A: Findings of Fact on Award of Attorney Fee; Order allowing attorney fee.

Miami Tribe of Okla., et al and Peoria Tribe of Okla. v. U. S., Dockets No. 253, 131 & 314D: Additional Findings of Fact on Value; Final Award; Opinion of Commission; Amended Final Award.

Nez Perce Tribe v. U. S., Docket No. 175B: Order Amending Findings of Fact, etc.; Final Award; Opinion of Commission.

Peoria Tribe v. U. S., Docket No. 65: Order allowing supplemental Attorney's fees.

Peoria Tribe of Okla. v. U. S., Docket No. 289: Report of the Commissioner.

Peoria Tribe v. U. S., Docket No. 99 and Kickapoo Tribe and Peoria Tribe vs. U. S., Docket Nos. 317 and 314C: Supplemental Findings of Fact; Interlocutory Order; Opinion.

Absentee Shawnee Tribe of Okla. v. U. S., Docket No. 334-B: Additional Findings of Fact; First interlocutory Order; Opinion on Plaintiff's motion for determination of certain issues.

Sioux Tribe of Cheyenne River Reservation, So. Dakota v. U. S., Docket No. 114: Findings of fact on attorney's fee; Order allowing attorney fees.

Lower Sioux Community in Minnesota v. U. S., Docket No. 363 (2d claim): Order; Opinion of Commission.

Yankton Sioux Tribe v. U. S., Docket No. 332A: Findings of Fact on Attorney Fees; Order allowing attorney fees.

Yankton Sioux Tribe v. U. S., Docket No. 332-C: Opinion; Interlocutory order.

Skagit Tribe v. U. S., Docket No. 294: Additional Findings of Fact; Order; Opinion.

Stillaguamish Tribe v. U. S., Docket No. 207: Additional Findings of Fact; Final Judgment.

Washoe Tribe of Nevada and California v. U. S., Docket No. 288: Opinion; Findings of Fact; Interlocutory Order.

Yakima Tribe v. U. S., Docket Nos. 47 and 164: Findings of Fact on Award of Attorney fee; Order allowing attorney fee.

1969 Annual Report of Indian Claims Commission.

Donor: Indian Claims Commission, Washington, D. C.

MUSEUM:

Three way-bills, Chicago, Rock Island & Pacific Railroad, 1893.

Donor: Rev. Frank W. Sprague, Meeker, Okla.

Documents, clothing, utensils, and other items of Sneed Johnson family.

Donor: Helen Bethenia Johnson Ardrey, Norman, Okla.

Hair ball; small animal cranium.

Donor: Mr. and Mrs. W. B. Curren, Del City, Okla.

Permanent wave machine; two early radios.

Donor: W. H. Crowe, Oklahoma City, Okla.

Campaign posters, card, newsletter.

Donor: Miss Frances Haskell, Oklahoma City, Okla.

Bust of Dr. Bohumil Makovsky; text prepared for 50th Anniversary of Kappa Kappa Psi.

Donor: Oklahoma State University, by Dr. Max A. Mitchell, Stillwater, Okla.

Confederate bond, \$500.

Donor: Mr. and Mrs. Ron Bassett, Oklahoma City, Okla.

Santa Claus Commission scrapbooks, beginning in 1936; doll; toy lamb; Christmas stocking.

Donor: Santa Claus Commission, by Mrs. Jessie M. Fountain, Oklahoma City, Okla.

Woman's skirt and jacket, dark blue taffeta, late 19th century.

Donor: Mrs. Robert F. Jones, Oklahoma City, Okla.

Campaign button, with photograph of Robert L. Williams.

Donor: Mrs. Nancy M. Lowe, Oklahoma City, Okla.

Churn; cotton scales and weight; coal oil lantern; one set shoe last. (Peter Conser Home Museum)

Donor: Walter and Ethel Thomas, Howe, Okla.

One ice card. (Peter Conser Home Museum)

Donor: Mrs. Gloria Farley, Heavener, Okla.

Patchwork sofa pillow. (Peter Conser Home Museum)

Donor: Mrs. Annabel Blassingame, Howe, Okla.

Springfield wagon; one sideboard. (Peter Conser Home Museum)

Donor: Charles D. Wilson, Heavener, Okla.

Stone jar; wash kettle. (Peter Conser Home Museum)

Donor: Mary and Hartsel Balentine, Heavener, Okla.

Letters and documents; tools; household utensils; photographs; books; and other items of the Conser family. (Peter Conser Home Museum)

Donor: Mr. and Mrs. Lewis Barnes, Houston, Tex.

Home Comfort cook stove. (Peter Conser Home Museum)

Seller: Mrs. Ray E. Blount, Poteau, Okla.

Books; lace pieces; two mantle vases; duofold covered with black leather; razor; gold headed hat pin; pictures; belt buckles; kitchen utensils; ostrich feather for hat. (Peter Conser Home Museum)

Donor: Mrs. Angie Thayer, Poteau, Okla.

Antique office table. (Peter Conser Home Museum)

Donor: Chamber of Commerce, Poteau, Okla.

Sugar bowl; crock bowl; Atlas glass fruit jar. (Peter Conser Home Museum)

Donor: Mrs. Louise Gregory, Poteau, Okla.

Atlas glass fruit jar; sauce bowl. (Peter Conser Home Museum)

Donor: Mrs. Beatrice Brannon, Cameron, Okla.

Gourd dipper; wicker fruit basket. (Peter Conser Home Museum)

Donor: Mrs. Wilka Wann, Fort Smith, Ark.

Ada Conser Carnall's graduation dress; wedding suit; other items of clothing; linen dresser scarf. (Peter Conser Home Museum)

Donor: Ada Carnall and Mildred Barnes, Houston, Tex.

Bible with Governor William C. Renfrow's name on flyleaf; three silver spoons with Governor Renfrow's initials engraved on handle. (Governor's House Exhibit)

Donor: Mrs. Renfrow Robertson, Houston, Tex.

Silver plate owned by Governor C. N. Haskell. (Governor's House Exhibit)

Donor: Miss Frances Haskell, Oklahoma City, Okla.

Wooden plaque on stand, oil paintings of two Oklahoma state lodges. (Governor's House Exhibit)

Donor: Lt. Governor George Nigh, Oklahoma City, Okla.

Copy of journal of Governor Abraham J. Seay, kept during his term of office. (Governor's House Exhibit)

Donor: Chisholm Trail Museum, Inc., Kingfisher, Okla.

Antique office table. (Sequoyah Home Museum)

Donor: Chamber of Commerce, Poteau, Okla.

Saddle which belonged to Marshall McCully. (Sod House Museum)

Donor: Harry C. Kephart, Carmen, Okla.

Corn binder. (Sod House Museum)

Donor: Mr. and Mrs. Paul Zimmerman, Helena, Okla.

Trouser suspenders; removable collar; slat bonnet; apron; linen table scarf; baby stockings. (Sod House Museum)

Donor: Mrs. Gladys Foster, Cleo Springs, Okla.

Collection of tools, mounted on boards for display; includes draw knife; pinchers; plow plane; wooden mallet; sliding line gauge; horse shoe prongs; blacksmith hammer head; monkey wrench; cotton scales and nail puller. (Territorial Museum)

Donor: G. A. Cook, Midwest City, Okla.

Three bricks, from Chandler, O.T., Wagoner, I.T., and Bartlesville, I.T. (Territorial Museum)

Donor: Dr. Charles S. Wallis, Warner, Okla.

Horn chair, half pint bottle, copy of photograph, from "The Yaller Dorg Saloon", Red Rock; replica of "Yaller Dorg" calling card. (Territorial Museum)

Donor: J. W. Eldridge, Guthrie, Okla.

Double barrel shotgun brought to Oklahoma in 1892 by donor's grandfather; photographs; loving cups; collection of advertisement cards, 19th century. (Territorial Museum)

Donor: M. C. Rouse, Coyle, Okla.

Gold colored vase; two photographs of Oklahoma Avenue; photograph album with photos of Grover Cleveland and wife. (Territorial Museum)

Donor: Mrs. Jessie Loveless, Guthrie, Okla.

Display of barbed wire collection, 19th century. (Territorial Museum)

Donor: Roy Souders, Pocasset, Okla.

Seal; pins; books; and records of Russell Anti-Horse Thief Association. (Territorial Museum)

Donor: Clyde Pope, Guthrie, Okla.

Photographs of Jim Thorpe family. (Jim Thorpe Home Museum)

Donor: Mrs. Fred Wilson, Siloam Springs, Ark.

High chair, child's chair. (Jim Thorpe Home Museum)

Seller: Goodwill Industries, Oklahoma City, Okla.

White iron baby bed; brass bed; dresser set; powder jar. (Jim Thorpe Home Museum)

Seller: Hugh Pyeatt Antiques, Guthrie, Okla.

NEW ANNUAL MEMBERS*

October 24, 1969 To January 28, 1970

Alexander, Charles M.	Nowata
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Ashabanner, G. D.	Oklahoma City
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Biggs, Bobby J.	Oklahoma City
Biggs, Jack G.	Oklahoma City
Boyer, Raymond H.	Oklahoma City
Branson, James W.	Oklahoma City
Brown, Harold V.	Cushing
Bullard, Gary	Downers Grove, Illinois
Burgess, Meredith	Yuma, Arizona
Clement, Billy M.	Rockville, Maryland
Clement, Ewing Ross	LaJunta, Colorado
Clement, Jack F.	Orlando, Florida
Cloud, James W.	Oklahoma City
Cooksey, Harold S.	Norman

Copeland, Miss Caroline	Tulsa
Danel, Richard	Stillwater
Dunkin, Rev. Chester	Seattle, Washington
Dunkin, Harold J.	Oklahoma City
Dunn, J. Hartwell, M.D.	Oklahoma City
Foster, Mrs. Gladys	Cleo Springs
Glasgow, Gary F.	Oklahoma City
Greer, E. Van, D.D.S.	Oklahoma City
Hamm, Herbert W.	Oklahoma City
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Holmberg, Vic	Dallas, Texas
Hughes, William Bishop	Muskogee
Hunnicut, Edward W.	Durant
Hunter, Norman	Oklahoma City
Ikard, Carl E.	Lawton
Johnson, Lester, D.V.M.	Stillwater
Johnson, William H., Jr.	Glendo, Wyoming
Jones, William J.	Amarillo, Texas
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Kerr, James K.	Dallas, Texas
Knight, Mrs. Boyd	Eufaula
Larson, John E.	Minneapolis, Minnesota
Lees, William B.	Tulsa
Lindsey, James L.	Tulsa
Lucas, Tom	Norman
McAlister, Mrs. Joe	Norman
Macdonell, Don	Fresno, California
Mahood, Ruth I.	Edmond
Million, Dr. Elmer	Norman
Navarro, Mrs. M. E.	Sherman, Texas
Olive, P. M.	Norman
Pannell, Andy	Norman
Parker, Doris Ann	Pawhuska
Payne, Gary E.	Atoka
Price, Stephen O.	Jones
Pruitt, A. Turner	Ringling
Ream, Vinnie	Tishomingo
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Robb, Ernest E.	Tulsa
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Scott, Mrs. Fred	Holdenville
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Shull, Mrs. Mary L.	Sherman Oaks, California
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Thompson, Van	Dallas, Texas
Thrift, Edith N.	Tulsa
Weber, Iva L.	Tulsa

* All members in Oklahoma unless otherwise designated.

THE OKLAHOMA HISTORICAL SOCIETY

The Oklahoma Historical Society was organized by a group of Oklahoma Territory newspaper men interested in the history of Oklahoma who assembled in Kingfisher, May 27, 1893.

The major objective of the Society involves the promotion of interest and research in Oklahoma history, the collection and preservation of the State's historical records, pictures and relics. The Society also seeks the co-operation of all citizens of Oklahoma in gathering these materials.

The Chronicles of Oklahoma, published quarterly by the Society in spring, summer, autumn, and winter, is distributed free to its members. Each issue contains scholarly articles as well as those of popular interest, together with book reviews, historical notes and bibliographies. Such contributions will be considered for publication by the Editor and the Publications Committee.

Membership in the Oklahoma Historical Society is open to everyone interested. The quarterly is designed for college and university professors, for those engaged in research in Oklahoma and Indian history, for high school history teachers, for others interested in the State's history and for librarians. The annual dues are \$5.00 and include a subscription to *The Chronicles of Oklahoma*. Life membership is \$100.00. Regular subscription to *The Chronicles* is \$6.00 annually; single copies of the magazine (1937 to current number), \$1.50. All dues and correspondence relating thereto should be sent direct to the Administrative Secretary, Oklahoma Historical Society Building, Oklahoma City, Oklahoma.



The CHRONICLES *of* OKLAHOMA

Summer, 1970



CLITORIA
IN INDIAN TERRITORY, 1853



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THE CHRONICLES OF OKLAHOMA

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SUMMER, 1970

Volume XLVIII

Number 2

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COVER: The wild flower of the *Clitoria*, or Butterfly Pea, is here shown from the original painting by H. B. Mollhausen, the noted German Artist, done in the summer of 1853 near the Choctaw Agency (in LeFlore County) while with Lieut. A. W. Whipple's Pacific Railroad Survey. The low vine of the *Clitoria* with its light blue to purplish blue flowers is in open wooded areas in southeastern Oklahoma though it is disappearing in many places from cultivation and over grazing of the land. The original painting is in the Whipple Collection in the Oklahoma Historical Society Library.

CAPTAIN CHARLES W. WHIPPLE'S NOTEBOOK: THE WEEK OF THE RUN INTO OKLAHOMA IN 1889

By Muriel H. Wright

INTRODUCTION

Charles William Whipple was the son of First Lieutenant Amiel Weeks Whipple, U. S. Topographical Engineers, who was in command of the Pacific Railroad Survey to the west coast through the Indian Territory in 1853. Young Charles Whipple was appointed by President Lincoln to the Military Academy at West Point from which he graduated in 1868. When the Unassigned Lands in the Indian Territory were opened to settlement on April 22, 1889, Captain Whipple was the Chief Ordnance Officer with a detachment of the Army under the command of Major General Wesley Merritt, on duty for the government in this region. Captain Whipple's notebook kept during his stay here in 1889, is a firsthand record, one of the few existent today, if any, giving the experiences of the Army in command and civilian leaders on the ground of present Oklahoma City at the opening. He tells of his trip to Kingfisher and Fort Reno and mentions meeting many persons who are noted in history. Captain Whipple's notebook has been loaned for publication in *The Chronicles* by his grandson, Dudley Stoddard of New York City. Mr. Stoddard is one of the donors with other members of this fine old American family who presented the many rare documents, books, and paintings that form the Amiel W. Whipple Collection, pertaining chiefly to the West, now in the Library of the Oklahoma Historical Society.¹

CAPTAIN WHIPPLE'S NOTEBOOK

April 18th 1889

Left Ft. Leavenworth with Gen'l. Merritt & Lt. Dodge 9:45 A.M. carrying field outfit. Leaving Kansas City 11:00 A.M. We reached Topeka on time & thence transferred to the pay car placed at Gen'l. Merritt's disposal by the R.I. & S.F. R.R.² Reaching Arkansas City in the evening we were attached to a freight train & sometime during the night crossed the bridges and entered the Cherokee strip. There had been rain all day & the roads were very heavy.

¹ See references: "Amiel Weeks Whipple" by Col. Francis Russell Stoddard and "Itemized List of the Whipple Collection" in *The Chronicles of Oklahoma*, Vol. XXVIII, No. 3 (Autumn, 1950); also, "Official Reception of the Whipple Papers" by Charles Evans, *ibid.*, No. 4 (Winter, 1950-51).

² Major General Wesley Merritt was a distinguished officer of the Union Army during the campaign in Northern Virginia just before the close of the Civil War in 1865.



(Print in Wright Collection)

POST OFFICE AT OKLAHOMA, INDIAN TERRITORY IN MAY, 1889

April 19th 1889

On arising about 6:00 A.M. found we were at Guthrie and that Capt. Cavanaugh 13th Infty was aboard. He reported the move of the two companies from Ft. ——— & that Lieut. Waite with Troop 5th Cav. was encamped nearby. Lt. Pickens also came aboard the train & soon after, before 8:00 A.M., we started for Oklahoma Station.³ The day was clear & the country looked very beautiful. The prairies were green & fresh, the foliages in full leaf. We saw wild turkey strutting on the plains not far from the car. We reached Oklahoma before noon after a tedious trip much delayed. Capt. Farbuscher & Lt. Adair met us & reported everything orderly & quiet. They afterward lunched with us. Col. Wade had not arrived but our telegram notifying him of our probable arrival had been forwarded. Telegram was sent to him directing Lt. Foster to report there as Qtm. & agent as

³ The post office named Oklahoma Station was established on the Santa Fe Railway in 1887. The next year, the name was changed to Oklahoma (1888). The post office is now Oklahoma City, name changed in 1923.—George H. Shirk, "First Post Offices within the boundaries of Oklahoma," *The Chronicles of Oklahoma*, Vol. XXX (1952).

Lt. Pickens was destined for some position at Guthrie. A man named Adams interviewed Gen'l. Merritt asking authority to remain in Territory as correspondent for N.Y. World admitting that he proposed taking out claim privilege was denied him. All occupied in sending telegrams to Dept. & Div. HQ. hurrying forward troops & reporting situation.

April 20th Oklahoma

After breakfast we all visited Post Office. ⁴ On return met Adams under charge of Lieut. of Gd. (Guard) who interviewed Gen'l. M. stating he had been allowed by Capt. Foster to stay over night. The Sergt. stated he had been under charge of Gd. all night. During the morning we saw him marched off. Col. Waite had arrived the day before & today Lt. Foster & Capt. Rogers moved from Reno during the night. There were frequent applications from various persons to remain in the Territory but all were refused except Lt. Coffman a retired officer who stated he was an agent for Bassey (?) at Relays of Scouts established on account of lack of telegraph facilities. Park wanted to go to Reno. The Infantry bat. under Co. Snyder had moved during the night & early made their camp on the hill overlooking townsite. Capt. Rogers was appointed Qtm. & Com. in charge with control over this station & Guthrie. We had callers from a number of the Deputy Marshals, Gene Weaver, Judge Litter, Mr. Bluford Wilson, Sid Clarke, etc; also later on the Marshal appointed by the Muskogee Court. Some of Marshal Jones' deputies who called. We played whist during the evening. ⁵

April 21

The Gen'l. handed out circulars warning settlers to behave themselves. Detachment of infantry sent to guard bridges at Purcell. Sent it to comdg. officer to print by scout & before we went to bed had received fifty copies back. These were distributed to all commands, posted on buildings & put on cars the next morning.

⁴ Whipple began using the name Oklahoma for this post office in the entry of his Diary for April 20th. He uses the same name in subsequent entries when referring to this station during his visit of several days here.

⁵ Among the deputy marshals mentioned here, Sidney Clarke was a former newspaper man and member of Congress for three terms (1864-68) from Kansas. From 1885, he was active in the work to secure the opening of the Oklahoma country. He helped draft the amendment to the Indian appropriation bill passed by Congress in March, 1889, that resulted in the opening on April 22. He settled in Oklahoma City and took an active part in the agitation for Oklahoma statehood.

U. S. Marshall William C. Jones of Kansas was one of the two U.S. marshals appointed to have command of the deputy marshals at the opening of the Unassigned Lands in 1889.—See, "A Letter from a U.S. Marshall in 1889" and "Notes: William Clark Jones," *The Chronicles of Oklahoma*, Vol. XXXV (1957), pp. 233-34.

April 22

In the morning it was reported that the deputy Marshals interested in town sites were laying out streets, etc. Dodge & I went to the ground & found the distinguished Deputies in mysterious conclave associated with others.⁶ Mr. Frost and others. They reported that the R.R. were removing lines without authority. One the Choctaw had staked out its notices & the party was well to the westward. The other called — were then trying to lay off the Depot site which would include about 10 acres in the heart of the city. The best part of it. The man in charge was directed by Bluford Wilson to discontinue the work as he showed telegram from Gen'l. Greene apparently granting authority. We took him & the surveyor to see the Gen'l. About 11 Dodge started on a freight train for Purcell. At 11:54 a.m. the first boomers came out of the river bottom men & women & rode like the wind for their claims. It is said that most of the deputies resigned as well as the Assistant Post Master. I have yet to hear of a single civilian who is not after a claim—except the Chief Eng. of the Choctaw R.R.

The first trains arrived from the S, 25 cars with 2 engines bringing about 1200 people at about 2 o'clock: not more than 4 or 500 got off the first train from the north which arrived. The Muskogee Marshal called for a few minutes yesterday just as he was starting for Guthrie. Marshal Jones we have not yet seen. People are putting up tents not only to the West of the track but on the quarter section which the papers say has been reserved by the gov. Unfortunately, Gen'l. M. has received no notification of this reservation but the Qt. M. agent has been informed by dispatch from Chief Qt.M. on guard warns settlers that they locate at their own risk. Capt. Paul is reported sick with erysipelas in camp. Dodge returned from Purcell reports arrival of 7th Cav. & everything quiet & orderly.

April 23

Another beautiful sunny day. A settler claiming part of town site asks advice about plowing. Gen'l M. advises not, as likely to create disturbance. A man reports that a pump had been taken charge of & small charges made for water & that it had been stopped by soldiers. Am sent to Col. Wade for explanation. Find it scheme of gamblers who charge 5c a glass. They had no claim of the pump. A man stood there with drawn pistol on top of

⁶ Lieut. Dodge mentioned here was a native of Washington, D.C., who had enlisted in 1875, and risen from the ranks of the Army. He had served as Adjutant of the 13th Infantry Regiment at Fort Sill in 1886. He was Adjutant of his Regiment at Fort Leavenworth, Kansas, when he came down to Oklahoma in 1889, with Captain Charles W. Whipple, under the command of Major General Wesley Merritt.

pump. Guard cleared him out & prevented what looked like disturbance. A few hours after settlers arrived a crowd elected provisional mayor etc. A rival meeting elected another & at night it was reported there were three sets. The meeting at night was noisy but not turbulent. A committee of 14 was appointed with authority it was claimed to arrange for a resurvey. We walked all through the town tonight conversing occasionally with people we met.

April 24

A surveyor started to run a line from near our car about 6 a.m. People were good natured but of course obstructed his vision at times. About 8 a.m. a Mr. Violet who stated he was Chairman of Com. of 14 called & asked the Gen'l. for a guard of non com. off. & three men to accompany the surveyors & clear a way for him. He thought the moral effect would be good as any inducing confidence. He said the survey proposed met with universal approval, & that it was agreed that lot owners were to pay \$1.00 each to pay expenses of marking the plot. The guard was given him & early in the afternoon Mr. Sid Clarke & Mr. Frost - clerk in the land office of the Santa Fe called the latter in a most objectionable manner & protested against the use of troops in furtherance of a scheme which had not unanimous approval. Claiming that the \$1.00 was collected apparently under threat of Mil. interference. The gd was instantly relieved though the non com officers had been conspicuously informed that his sole duties were to keep back the crowd, etc. People knew this—but the Santa Fe site people were interested in stopping the survey—which however was, I believe completed as far as their own. Daily people come to Gen'l. M. or Col. W. asking for all sorts of assistance: to obtain freight held for additional freight charges; to put a guard over their goods, etc. The Postmaster about once a day calls for protection & a guard is put over his shanty at night. He is within calling distance of the main guard at the station.

April 25th

This morning I noticed at 6 a.m. a man plowing straight through So. Oklahoma. There was no excitement apparent—& no one interfered—In about a half hour about 150 men quietly fell into ranks in two ranks and were marched over by a rather intelligent looking young man and halted along side of the car. Dodge & I met him & he stated that the plougher was a claimant, etc. and that they the townsiters came to ask for protection. When promised that the matters would be presented to the Gen'l. they quietly marched off again. A few minutes after the Gen'l. appeared & the Sgt. of the guard was ordered to stop the plowing to which the man made no objection.

A deputy Marshal afterward called & after informing the Gen'l. that he was going to arrest & bring before the Commissioners anyone firing guns or pistols—and there had been a good deal of it—admitted that it was his site on which the plowing had been commenced.

The Gen'l., Dodge & myself started for Reno shortly after 12 M. & arrived between 5 & 6 after a delightful drive. We had a delay at the Stage Station.⁷ In the bottoms along the Northfork there were signs of settlement & occasionally on the uplands a tent could be seen or a stake or fence were passed—approaching Reno these signs increased.

We passed through Darlington.⁸ Were met at the traders by Maj. Russell.

April 26th

Left Reno shortly after 7:30 & started for Kingfisher, after getting under way the wind commenced to rise until about noon it was blowing from the northwest about 40 miles—the country was covered with plover.

We reached Capt. Hall's camp about 11:00 and he drove with us to the infantry camp. Capt. Amman reported everything quiet as elsewhere. Dr. Hoff who had been relieved yesterday by Dr. Ball & who had stated he should start tomorrow was wanted in camp as two men were under the weather. Capt. Hall drove the Gen'l., Capt. A. and myself into Kingfisher. The dust was so thick that one could hardly judge the size of the town. The main street which was wide and ran N & S was crowded. We went in the land office, met the officers including Mr. Pike from Washington and the Marshal & watched proceedings. At the door were perhaps 60 men squatting on the ground in a sort of incomplete circle waiting to register. Claim lawyers were located about in tents. The first few nights after office was open the crowd slept at their posts, but now they give those in line at 4 P.M. cards with numbers on them which entitle them to places the next morning. They expected to file 90 claims today though they have averaged only 75. In Uncle John's Creek on which the camps are located

⁷ This "Stage Station" was in the Council Grove area, about 7 or 8 miles west from the Santa Fe Railway station in Oklahoma City, on the stage line road to Fort Reno.

⁸ Darlington was the location of the Cheyenne-Arapaho Indian Agency founded by U.S. Indian Agent Brinton Darlington in 1869. Trading stores and other businesses were established here, including the well-known newspaper, *The Cheyenne Transporter*, all of which made this place the principal trading center in western Indian Territory for many years. The Agency was about a mile north of Fort Reno on the Chisholm Trail, along which Captain Whipple's party traveled north to Kingfisher.

the water is clearer than any I have seen in this country & is very good. The Kingfisher (creek) is very alkali so they say & very unpleasant. It is probable that Kingfisher is slightly larger than Oklahoma—I judge maybe by 3,000 souls—but the country does not look as promising. We returned through the infantry camp where our attention was called to the fact that Capt. Chance's Co. were living principally in shelter tents—& then lunched with Capt. Hall. He told us that one btl. of whiskey had been seized & destroyed by the Marshal. We started back before 2 P.M. & through a cloud of dust drove our 22 miles to Reno. Met Ben Clark the interpreter & introduced him to the General.⁹ He gave an interesting account of the Indians in neighborhood. Of 3200 two thirds are Cheyennes a very few Cados & others, rest Arapahoes. There are four chiefs with the Cheyennes—Whirlwind & Old Crow friendly: the other two were apt to give trouble. We left circular to be printed banning people from loitering on strip.

April 27

Breakfasted with Mrs. Wade after accompanying Gen'l M. & Foster in a tour of the post. Started for Oklahoma about ten thirty. Just beyond stage station saw small (between gen. station & Council Grove) settlement near river bottom with Amer. flag flying. Found it was Harrisonville a settlement of old soldiers.¹⁰ Met Swift about 4 miles out. Returned to our car. Not a single outrage has so far been discovered. One man was scared off his claim & reported the story from Reno which was so widely reported. Before leaving, Gen'l M. ordered Foster to send full tents to Capt. Chance.

April 28th

Left under orders for Guthrie to examine situation. Last night there was meeting of the rival factions in Oklahoma & matters were settled amicably by the election of Capt. Couch as tempor-

⁹ Ben Clark was the noted scout who had been with Col. George Custer in his military campaign against the Indians of the Plains in western Indian Territory in 1868-69. Clark became the interpreter for the Cheyenne at the Darlington Indian Agency. He was a friend to the Indians and was highly respected by the Army. Ben Clark was influential and well known throughout his life in the region of Fort Reno.

¹⁰ This settlement called Harrisonville was in the vicinity of the site of Jesse Chisholm's trading post established in the Council Grove area in 1858, before the Civil War. A historical marker erected by the Daughters of the American Revolution stands near the site of Chisholm's post in the parkway just north of the west 10th Street bridge on the North Fork of the Canadian River, in Oklahoma City.—"A History of Council Grove" by Ray Asplin, in *The Chronicles of Oklahoma*. Vol. XLV, No. 4 (Winter, 1967-1968).

ary Mayor & of a temporary receiver.¹¹ On Monday there is to be an election by ballot for these offices. At Edmond the settlement is very small. Remained there from 10 A.M. to 3 P.M. Some wreck ahead. Reached Guthrie about 3:45. Visited MacArthur's camp & found everything satisfactory. Waiting for train Capt. Rogers & I walked up into the town to see particularly the hospital tent houses. Saw the nearest approach to trouble I have yet met. Arrived at Oklahoma. Found Mr. Guthrie with the General arguing against stopping the gambling. Gen'l Merritt having stopped it this A.M.

April 29th

This morning Mayor Couch & the Receiver called on Gen'l. Merritt who told them that his plan was to forbid gambling or soliciting openly on the street, & to stop it altogether on Sunday; afterward Mr. Bluford Wilson called. Thought public opinion would endorse Gen'l. Merritt if he stopped gambling altogether & suggested that he extend his action so as to make it uniform throughout territory. Left Oklahoma about 10 A.M. & being delayed at Edmond reached Guthrie about 1:30. Capt. MacArthur, Davis, Schmidt, Dr. McAuley, Lt. Penhire & Atkinson came aboard. Everything was reported perfectly quiet. We also met here Marshal Needles who gave same report at Ponca.¹² Capt. Hayes boarded the train & at his suggestion our car was switched off at Chilocco while he continued to Arkansas City. It is raining hard & very cold & chilly. Capt. Hayes returned about 7:30 & stayed with us till 11:30. His camp is about $\frac{3}{4}$ mile to the eastward. All along the road we have seen wagons moving northward & Capt. Hays says that he has counted 300 or 400 wagons leaving the strip—on one day 160.¹³

¹¹ William L. Couch, a native of North Carolina, joined David L. Payne's "Oklahoma boomers" out of Kansas in 1880, and became one of the active leaders of the group. After Payne's death three years later, Couch became the "Captain" of the boomers, and was a prominent figure in the agitation for the opening of Oklahoma.

¹² Thomas B. Needles of Illinois had been appointed U.S. Marshall when the first U.S. Court was established at Muskogee in the Indian Territory by Act of Congress on March 1, 1889. He was appointed and served as a member of the Dawes Commission from 1897 to 1905. Marshal Needles and Marshall Jones had equal authority over law and order at the time of the run in 1889.

¹³ Incidents that occurred at the time of the run in 1889, and government rules for making land claims are reviewed by Dr. B.B. Chapman in "The Legal Sooners of 1889 in Oklahoma" in *The Chronicles of Oklahoma*, Vol. XXXV, No. 4 (Winter, 1957 to 1958).



(Print in Wright Collection)

STREET SCENE LOOKING WEST IN OKLAHOMA,
PRESENT OKLAHOMA CITY, IN MAY, 1889

AUGUSTE PIERRE CHOUTEAU, MERCHANT PRINCE
AT THE THREE FORKS OF THE ARKANSAS

By Wayne Morris*

During the Spanish period of Louisiana, fur-bearing animals were particularly plentiful in Oklahoma's northeastern sector. Deer, buffalo, mink, otter, lynx, bear and beaver abounded along banks of the Verdigris, Grand and Arkansas rivers, which merge to form the Three Forks region.¹ This rich pelt zone consistently attracted Osage hunting parties from Missouri; the Osages further utilized Three Forks as a base for launching raids against other Indians and settlers on the Spanish frontier.² Seeking relief, Spanish interests turned to St. Louis' premier fur merchants, Auguste and Pierre Chouteau. Their influence and enticing trade articles allowed periodic lapses in Osage hostility.³

Chouteau trade items came from England and France to St. Louis by way of Montreal and New Orleans. Two concerns serving as Chouteau shipping agents were Todd and McGill's of Montreal, and Cavalier and Petit's of New Orleans. From Montreal came Mackinaw blankets, which the Osages preferred to buffalo robes,⁴ textiles, guns, knives, ammunition, hatchets, copper, tinware, playing cards, cheap jewelry, flints, scissors, vermilion, pins, powder, calico, and trade ribbons.⁵ The port of New Orleans forwarded sugar, Italian soap, china, glassware, medicine, blankets, cloth, tafia, iron, honey, gunpowder and tobacco pipes.⁶

* Wayne Morris received his M.A. degree in history from the University of Oklahoma, in 1967, his thesis based on "The Oklahoma Fur Trade, 1796-1845." He is now nearing the completion of his study for the Ph. D degree on the "Fur Trade in the Southwest" from the University of Oklahoma.—Ed.

¹ Grant Foreman, "The Three Forks," *The Chronicles of Oklahoma*, Vol. II (March, 1964), p. 37.

² Trudeau's Report of 1798 Concerning the Settlements of the Spanish Illinois Country, in Louis Houck (ed.), *The Spanish Regime in Missouri* (Chicago, 1909), Vol. II, p. 251; Baron de Ripperda to the Viceroy, April 28, 1772, in Herbert E. Bolton (ed.), *Athanase De Mezieres and the Louisiana-Texas Frontier, 1768-1780* (Cleveland, 1914), Vol. II, pp. 77-78, 269-271; John J. Mathews, *The Osages: Children of the Middle Waters* (Norman, 1961), p. 189.

³ Trudeau's Report of 1798, in Houck (ed.), *The Spanish Regime*, Vol. II p. 251. Auguste and Pierre Chouteau were half-brothers.

⁴ J. F. McDermott (ed.), *Tixier's Travels on the Osage Prairie*. Translated by Albert J. Salvan (Norman, 1940), p. 138.

⁵ Bill of William Todd to Auguste Chouteau, Montreal, 1796, Chouteau Collection in Missouri Historical Society, St. Louis, (hereafter cited as MHS).

⁶ Account of Cavalier and Petit with Auguste Chouteau, New Orleans, May 13, 1796, *Ibid*.

The Chouteaus in turn dispatched peltries to France and England through their mercantile contacts.

Because of the Chouteaus' commercial power and influence on the Spanish frontier, they became favorites of Baron de Carondelet, the Governor of Louisiana. In 1794, he granted them a six year monopoly of the Osage trade and authorized construction of a post—Fort Carondelet in present Vernon County, Missouri. Managed by Pierre Chouteau, this frontier station served as a control and trade center for the Osage tribe whose hunting grounds extended to the west and the southwest in present Oklahoma.⁷

A fur trade boom following the Louisiana Purchase began in northeastern Oklahoma where the Arkansas River with its tributaries, the Verdigris and the Grand rivers, converge to form the Three Forks region. Traders and trappers found the Three Forks attractive because of its vast game reserve, populous Indian community, mild climate, convenient saline springs and accessible river route to gulf markets.

In 1800 when the Chouteaus of St. Louis requested another six year monopoly of the Osage trade along the Missouri River and its tributaries, the Spanish government awarded only a four year extension.⁸ Their disappointment turned to bitterness in 1802 when the Spanish officials rejected the Chouteau monopoly and granted it to Manuel Lisa, a prominent Spanish merchant of St. Louis.⁹ Realizing that the Three Forks on the Arkansas lay outside of Lisa's area of control, Pierre Chouteau induced some 3,000 members of a band of Osages known as "La Chaniers" to move from Missouri to the mouth of the Verdigris River. The

⁷ Harriet J. Westbrook, "The Chouteaus and their Commercial Enterprises," *The Chronicles of Oklahoma*, Vol. XI (June, 1933), p. 790.

⁸ It is at this point in the history of the Three Forks that the allegation arose on the establishment of a trading post in 1796, by Pierre Chouteau at the site of Salina (in present Mayes County, Oklahoma), a matter that has been refuted by leading historians in Oklahoma and convincingly presented as an error in correspondence by such authorities as Abraham P. Nasatir, Grant Foreman and John F. McDermott. A report, which includes this correspondence and letters from others, was prepared by Judge L. Williams, President of the Oklahoma Historical Society, and published in *The Chronicles of Oklahoma*, Vol. XXIV, No. 4 (Winter, 1946-1947), pp. 483-915, under the title "Founding of the First Chouteau Trading Post in Oklahoma at Salina, Mayes County."

⁹ Manuel Lisa (and others) to Salcedo, New Orleans, June 4, 1802. Delassus to Salcedo, St. Louis, August 28, 1802. In Abraham P. Nasatir (ed.), *Before Lewis and Clark: Documents Illustrating the History of Missouri, 1785-1804* (St. Louis, 1952), Vol. II, pp. 677-680, 705 Mathews, *The Osages*, p. 297.

Spanish officials accepted Chouteau's maneuver, much to Lisa's chagrin, by permitting the Chaniers to remain on the Verdigris.¹⁰

Early trading posts at Three Forks were of the picket wall variety. From these establishments, merchants bartered cheap merchandise for pelts harvested by the Chaniers, or Arkansas band of Osages.¹¹ The furs were dispatched to European markets by way of New Orleans, where, in the first decade of the 19th Century, a mink pelt sold for 40 cents, deer skins brought 40 cents a pound; a beaver skin was worth \$3, while a buffalo robe sold for \$6. A beaver pack weighing 100 pounds brought \$180, otter \$450, lynx \$500, and bear oil about \$1 a gallon.¹²

Trade items used in the Three Forks trade included vermilion, kettles, axes, knives, beads, twists of tobacco, strouds, combs, earrings, bright cloth, Northwest blankets, traps, lead, carbines, muskets and gunpowder.¹³ These articles, some of which originated in Europe, were stocked in warehouses of New Orleans, St. Louis, Philadelphia and other commercial centers. But Oklahoma's merchants also relied on merchandise forwarded to entrepôts of the interior.

Initially, the entrepreneurs of Arkansas Post, situated fifty

¹⁰ Grant Foreman, *Pioneer Days in the Early Southwest* (Cleveland, 1926), p. 24; Grant Foreman, *Indians and Pioneers: The Story of the American Southwest before 1830* (Norman, 1936), p. 20; Richard E. Oglesby, *Manuel Lisa and the Opening of the Missouri Fur Trade* (Norman, 1963), p. 26.

¹¹ In November, 1806, an observer at Arkansas Post (situated fifty miles above the mouth of the Arkansas), wrote that "Two boats from St. Louis passed this place early in September and during the last month arrived at the Osage village where they have erected suitable buildings for remaining throughout the winter which they propose doing under the direction of Mr. Chouteau." (John B. Treat to Secretary of War Henry Dearborn, Arkansas Trading House, November 18, 1806, Arkansas Trading House Letterbook, 1805-1810 (microcopy from National Archives, Washington, D. C., in MS Division, University of Oklahoma Library, p. 76). On December 31, 1806, Treat reported to Dearborn that "there is at this time residing among them (the Chaniers) four traders (licens'd from St. Louis)."—See Clarence E. Carter (comp. and ed.), *Territorial Papers of the United States* (Washington: 1934), Vol. XIV, p. 57.

¹² Paul C. Phillips, *The Fur Trade* (Norman, 1961), Vol. II, p. 246; "Dr. John Sibley's Historical Sketches of the Several Indian Tribes in Louisiana," in *American State Papers, Indian Affairs* (Washington, 1832), Vol. II, p. 274; Albert M. Ahern, *Fur Facts* (St. Louis, 1922), p. 19.

¹³ Fort Smith Trader's Journal, 1820-1821 (Gilcrease Museum Library, Tulsa), accounts of July 20, 25, and 29 of 1820, and March 24, 1821, hereafter cited as GML. A.P. Chouteau to Bernard Pratte and Company, La Saline, August 30, 1824, Chouteau Collection in Missouri Historical Society, St. Louis, (hereafter cited as MHS). Grant Foreman, *Pioneer Days in the Early Southwest* (Cleveland, 1926), p. 80; *Indians and Pioneers: The Story of the American Southwest before 1830* (Norman, 1936), p. 164n.



COLONEL AUGUSTE PIERRE CHOUTEAU

1786 - 1838

Drawing by Vinson Lackey, 1939, from an old print.

miles above the mouth of the Arkansas River, served the traders at Three Forks. After 1817, Oklahoma's frontiersmen began buying goods from the sutler at Fort Smith, erected at Belle Point in the same year because of the Chaniers' conflict with immigrant Indian tribes.¹⁴ In 1819, the federal government located a trading factory of three years duration just east of Fort Smith. Its manager or factor, while engaging the Arkansas Cherokees in trade, sold goods to the Osage merchants. Then in 1824 when Osage-Cherokee hostilities reached a critical state, the commander of Fort Smith received instructions to abandon that outpost and build another in Chanier country. Cantonment Gibson was situated near the mouth of Grand River and served as a guard against the Indian menace. The sutler there became the most convenient source of merchandise for the operators at the Three Forks, particularly after 1825 when steamboats began making regular runs to Fort Gibson.¹⁵

With the movement of immigrant Indians into Oklahoma, trade at Three Forks underwent a significant change in the mid-1820's. Traders began to rely less on the independable fur market and more on annuity traffic with the Chaniers, Creeks and Cherokees. In payment of government annuities, agents gave their charges certificates of indebtedness. "The consequence," according to one account, "was that the Indians, not regarding paper as of any real value, would go to the traders and sell the due bills" at a discount for whisky, cattle, clothing, guns, ammunition and other goods.¹⁶ To merchants and crooked agents the Indians were easy marks in their speculative activities. "Opportunity" certainly awaited the Oklahoma pioneer.

The rapid commercial development of Three Forks was, to a great extent, related to the enterprising Chouteaus of St. Louis.

¹⁴ John B. Treat (factor) to Secretary of War Henry Dearborn, Arkansas Trading House, November 18, 1806, Arkansas Trading House Letterbook, 1805-1810 (National Archives, Washington, D. C., microcopy in MS Division, University of Oklahoma Library), p. 134, hereafter cited as ATHLB. Boyd Johnson, "Fredrick Notrebe," *Arkansas Historical Quarterly*, Vol. XXXI (Autumn, 1962), p. 269; Fort Smith Trader's Journal, 1820-1821, GML.

¹⁵ Superintendent of Indian Trade Thomas McKenney to Isacc Rawlings (factor). September 25, 1819, in *Territorial Papers of the United States*, Vol. XIX, p. 106; McKenney to Rawlings, June 19, 1819, Superintendent of Indian Trade, Letters Sent, March 31, 1818-July 20, 1820, National Archives, Washington, D. C., Microcopy "E" in MS Division, University of Oklahoma Library, pp. 272-273; *American State Papers, Indian Affairs*, Vol. II, pp. 456-457; Elsa Vaught, "Captain John Rogers: Founder of Fort Smith," *Arkansas Historical Quarterly*, Vol. XVII (Autumn, 1958), p. 247; Grant Foreman, "River Navigation in the Early Southwest," *Mississippi Valley Historical Review*, Vol. XV (June, 1928), pp. 35-37.

¹⁶ Amelia Williams and Eugene Barker, eds., *The Writings of Sam Houston, 1813-1863* (Austin, 1938), Vol. I, p. 159.

In 1803-1804 when Pierre Chouteau influenced the Chaniers to move from Missouri to the Verdigris, Chouteau *engages* soon established trading houses. But the federal government called on Pierre to induce the Chaniers' return to their Missouri kinsmen. When the Chaniers refused, Chouteau interests withdrew from the Three Forks region in 1807-1808. Pierre Chouteau's son, Colonel A. P. (Auguste Pierre), reestablished the Chouteau commercial tie with the Three Forks in 1817, by sending his agent Joseph Revoir to build a post near present Salina. Because of the entrenchment of other merchants at the Forks, Revoir's efforts to recoup the Chouteau predominance encountered stubborn resistance.¹⁷

Among those challenging the Chouteau-Revoir alignment, were Joseph Bogy of Kaskaskia, Mark Bean of Tennessee and partners Captain Henry Barbour of New Orleans and George W. Brand of Tennessee. Other competitors included Robert French of Kentucky and Samuel Rutherford of Virginia. Their partnership dissolved, however, and Rutherford, along with David McKee, Eli Ward and Samuel Richards, became a hireling in the trading concern owned by Hugh Glenn of Cincinnati and Nathaniel Pryor of Virginia. Both were notable frontiersmen. Glenn, besides being a co-operator of a Three Forks post, served for a time as the sutler of Fort Smith and along with Pryor, joined Jacob Fowler's expedition bound for Santa Fe. Pryor first drew attention as a member of the Lewis and Clark expedition, and later, became a captain in the War of 1812.¹⁸

Since traders at the Three Forks were close allies of the Osages, they became victims of Cherokee retaliation on the Chaniers. In 1820, a large war party of Cherokees cornered a small band of Osages at the Pryor-Glenn establishment. Pryor and McKee conspired to divert the Cherokee's attention while the Chaniers' escaped. The Cherokee leader "Dutch" took revenge by confiscating 150 pounds of their beaver skins. Cherokee raiders

¹⁷ Richard Oglesby, *Manuel Lisa and the Opening of the Missouri Fur Trade* (Norman, 1963), p. 26; Treat to Dearborn, November 18, 1806, in *ATHLB*, p. 134; T. M. Marshall, ed., *The Life and Papers of Fredrick Bates* (St. Louis, 1926), Vol. II, pp. 44-45; *Territorial Papers of the United States*, Vol. XV, p. 278; Foreman, *Indians and Pioneers*, pp. 53-54.

¹⁸ *Senate Executive Document No. 23*, 24th Cong., 1st Sess., pp. 9-11; Elliott Coues, ed., *The Journal of Jacob Fowler* (New York, 1898), pp. 9, 159-160; Foreman, *Pioneer Days*, p. 75; Jerry Rand, "Samuel Morton Rutherford," *The Chronicles of Oklahoma*, Vol. XXX (Summer, 1952), p. 149; Grant Foreman, "Nathaniel Pryor," *Ibid.*, Vol. III (June, 1927), pp. 152-153; Fort Smith Trader's Journal, 1820-1821, GML; Stella M. Drumm, ed., "Documents in the Office of Indian Affairs Concerning Nathaniel Pryor," *American Historical Review*, Vol. XXIV (January, 1919), pp. 255-256.

again swept through Chanier country, in 1821, and murdered Joseph Revoir.¹⁹

One year after his agent's death, A. P. Chouteau journeyed to Three Forks with a band of Missouri Osages who joined the Chaniers. He took over the Grand River post and made improvements. Known as "La Saline," his residence was a two story, white, log house with a piazza. Visitors observed that the yard teemed with slaves, Osages, dogs, hens, turkeys and geese.²⁰

Within a few years, La Saline's proprietor became the pre-eminent merchant of Three Forks. Chouteau's success resulted from a combination of factors. He knew the Osage language and is said to have had "two or more Indian wives."¹⁰ The Colonel utilized the services of several trusted relatives, possessed extensive commercial ties with St. Louis, credited trade goods to the Indians at high interest rates in pelt currency and trafficked in annuities with Indian agents.

Chouteau's adept cousin, Pierre Milicour Papin, began assisting him at La Saline in 1823, the year Colonel A. P. purchased the Brand and Barbour establishment on the Verdigris. Known by several names, including Sleepyville and Verdigris Landing, this large acquisition consisted of ten or twelve houses, a ferry and thirty acres of land. Expansion prompted Chouteau to hire more employees, three of whom were Augustus Aristide Chouteau, his cousin; Louis Pharamond Chouteau, a half-brother; and Pierre Ligest Chouteau, his brother. They and other hirelings constructed a small shipyard at the mouth of the Verdigris, and here, French creole carpenters designed keelboats.²¹

Chouteau's merchandise was initially purchased from John Jacob Astor's Western Department of the American Fur Company, established in St. Louis in 1822. After 1823, however, he relied on another outfitting business in St. Louis. Operated jointly by his brother Pierre Chouteau, Jr. and Bernard Pratte, this concern was a major Astor competitor. But ultimately, in 1826, the New York fur titan hired them to manage the Western Department. In this capacity they continued to furnish trade items to Colonel A. P., who annually "introduced" \$20,000 worth of

¹⁹ *Ibid.*, pp. 255-256, 258-259; Foreman, *Indians and Pioneers*, p. 276.

²⁰ William W. Graves, *The First Protestant Osage Missions, 1820-1837* (Oswego, Kansas), p. 156; William P. Trent and George S. Hellman eds., *The Journals of Washington Irving* (Boston, 1933), pp. 26-27; Grant Foreman, *Advancing the Frontier: 1830-1860* (Norman, 1933), pp. 26-27; Foreman, *Pioneer Days*, pp. 259, 290.

²¹ *Ibid.*, p. 258.

merchandise into the Three Forks trade.²² His merchandise was forwarded by way of the Missouri and Osage rivers, with employees using pack trains or wagons to complete the haul to the Three Forks. Steamboats on the Arkansas also delivered goods to Chouteau. These vessels and keelboats transported Chouteau's furs from the Verdigris and from St. Louis to New Orleans where shipping agent John G. Stevenson received the pelts and dispatched them to New York and European markets. Bernard Pratte and Pierre Chouteau, Jr., managed this fur distribution system and carried marine insurance at Chouteau's expense.²³

With his credit system, Chouteau engulfed the Chanier traffic. He advanced the Osages' supplies, traps, "Dutch" trade rifles and other goods at a high interest rate which they paid in "hairy bank notes." The Colonel's furs amounting to 38,000 pounds in 1824 went to New Orleans. Among the cargoes were furs brought in by northern Osages, who at this time were living in what became southeastern Kansas. With the aid of Paul Liguist Chouteau, Colonel A. P. sealed this commercial tie of about a year's duration.²⁴

Two years following the tremendous fur shipment of 1824, Chouteau observed that game was dwindling in the Three Forks region. To compensate, he began to "calculate more on the annuities of the different tribes than on the furs." J. F. Hamtramck, agent of the Chaniers, played an especially significant role in this Chouteau enterprise. In 1826-1827 he advanced Colonel A. P.

²² A. P. Chouteau to Pierre Milicour Papin, January 3, 1824, Chouteau Collection, MHS; A. P. Chouteau to Pierre Milicour aPpin, April 6, 1824, *ibid.*; A. P. Chouteau to Bernard Pratte and Company, December 17, 1826, *ibid.*; Graves, *The First Protestant Osage Missions*, p. 60; Grant Foreman, *Down the Texas Road* (Norman, 1936), pp. 25-26; Foreman, *Pioneer Days*, p. 75.

²³ Journal of the American Fur Company, Western Department, Vol. "D", MHS, entries for September 19, 20 and 25 of 1823; October 3, 10, and 29 of 1823; January 17, and 26 of 1824; and March 3, 13, and 20 of 1824; A.P. Chouteau to Bernard Pratte and Company, La Saline, August 30, 1824, Chouteau Collection, MHS; R. McKnight to Reuben Sanders, Franklin, Missouri, April 23, 1825, *ibid.*, MHS; Pierre Chouteau, Jr. to Bernard Pratte and Company, December 21, 1826, *ibid.*, MHS; Copy of a Six Page Statement of A.P. Chouteau before the Senate Committee on Indian Affairs, 1831, Chouteau File, Oklahoma Historical Society, Oklahoma City.

²⁴ A. P. Chouteau to Bernard Pratte and Company, December 17, 1826, Chouteau Collection, MHS; A. P. Chouteau to iPerre Chouteau, Jr., Verdigris, August 22, 1829, *ibid.*; accounts of Colonel Chouteau for October 22, 1830 and August 3, 1831, in Retail Store Ledger of the American Fur Company, August 1, 1829—November 3, 1832, Vol. "R," MHS; accounts of Colonel Chouteau, June 3, and 13, of 1831 and May 26, 1832, in Packing Book of the American Fur Company, October 14, 1830—April 1833, Vol. "S," MHS; Senate *Executive Document* No. 90, 22d Cong., 1st Sess., p. 71; Foreman, "River Navigation in the Early Southwest," *op. cit.*, pp. 35-37.

over \$7000 in annuities for supplying the Chaniers with rifles, flints, lead, tobacco, scarlet cloth, strouding, calico, arm bands, ear bobs, vermillion, knives and blankets. Chouteau also trafficked in annuities with the Creek agent who, in 1827, purchased part of Verdigris Landing.²⁵

As an opportunist in the annuity exchange, Chouteau apparently made more equitable deals with the Indians than did Colonel Hugh Love, a new merchant on the Verdigris. Love's trade in due bills was deemed fraudulent by Sam Houston who arrived at Three Forks in 1829 and established a trading post, called, "Wigwam Neosho," near Fort Gibson. While Houston castigated Love, he found Colonel A. P. Chouteau worthy of becoming an Indian commissioner. Before Houston departed for Texas in 1832, he forced the dismissal of Hamtramck and the other agents. Houston's confidence in the Chouteau family was again indicated when Paul Liguist Chouteau became the new Osage agent.²⁶

In 1831, Colonel Chouteau shipped 14,684 pounds of pelts, including bear, beaver, raccoon, "red deer," "shaved deer" and "gray deer" skins, to John G. Stevenson in New Orleans. Seven years earlier, as mentioned, he had dispatched 38,000 pounds of furs to the Crescent City. This sizeable decrease reflected the scarcity of game at the Three Forks. Increasing competition from such traders as Jesse B. Turley, John Drew, John Drennan, David Thompson and the Fort Gibson sutler influenced Chouteau to consider shifting his base of operations.²⁷ He envisioned a chain of posts stretching from Three Forks to the Plains Indian country. His plan commenced in 1834-1835. Before he died in 1838, Chouteau had become a great favorite among the Wichitas, Comanches, and Kiowas.²⁸

²⁵ A. P. Chouteau to Pierre Milicour Papin, January 3, 1824, Chouteau Collection, MHS; R. McKnight to Reuben Sanders, Franklin, Missouri, April 23, 1825, *ibid.*; Foreman, *Pioneer Days*, p. 83; House Document No. 54, 18th Cong., 2d Sess., p. 4.

²⁶ A. P. Chouteau to Bernard Pratte and Company, December 17, 1826, Chouteau Collection, MHS; account of J. F. Hantramck with A. P. Chouteau, June 18, 1827, *ibid.*; Foreman, *The Five Civilized Tribes* (Norman, 1934), p. 149; Foreman, *Indians and Pioneers*, 261n; Foreman, *Pioneer Days*, p. 269.

²⁷ *Ibid.*, pp. 182n, 184-185, 193.

²⁸ *Ibid.*, pp. 84n, 184, 195, 205; invoice of skins shipped in 1831 to John G. Stevenson of New Orleans, Chouteau Collection, MHS; Senate *Executive Document* No. 90, 22d Cong., 1st Sess., pp. 60-61; Carolyn T. Foreman, "A Creek Pioneer," *The Chronicles of Oklahoma*, Vol. XXI (September, 1926), p. 271; Foreman, *Indians and Pioneers*, p. 227n; George Catlin, *Letters and Notes on the Manners, Customs and Condition of the North American Indians* (London, 1844), Vol. II, p. 40.

THE INDIAN IN TRANSITION: THE NEOSHO AGENCY 1850-1861

By Valerie Tracy*

INTRODUCTION

*"Every philanthropist, and, indeed, every honest man, must feel a deep interest in these remnants of once powerful tribes and confederations, that now struggle to continue their existence . . . with them . . . we are to solve the question whether the Indian is doomed to extinction, or whether it is possible for him, under any auspices whatever, to rise to an equality with the white man . . ."*¹

—Elias Rector
1859

The years between 1850 and 1861 were important ones for the Indians residing in southern Kansas and in the Oklahoma Indian Territory for they mark the beginning of a change in the government's policy toward its Indian wards and, concomitantly, the increasing contact of the Red Man with White America. The decade of the forties produced three unrelated events which together considerably altered the *status quo* on the eastern plains. First, the Treaty of Guadalupe Hidalgo in 1848 opened up vast territories for settlement by land hungry Americans. Then, in 1849, the Indian Service was taken from the Department of War and placed under the jurisdiction of the Department of the Interior. 1850 saw hordes of Anglo-Americans inundating the lands west of the Mississippi on their way toward fortune and a new future in California. The government had left a corridor for westward passage in what is now Nebraska but the Anglos had neither the time nor the inclination to respect Indian lands. Thus the Indians who had been victims of removal in the 1830's and the 1840's were again subjected to friction with the white man. The heat thus generated increased the intensity as the decade wore on, until it was drowned in the national cataclysm of the 1860's. In the next decade Washington was indecisive; the Bureau realized it had erred in giving the Indians too much indefensible (not to mention valuable) land.² By 1870 federal policy had been reformulated to end the removal program and to begin assimilating the Indian as a functioning member of white society.

* Valerie Tracy of Hermosa, California, received her B.A. in history from Stanford University at California State College, Long Beach in 1969.—Ed.

¹ United States Congress. *Senate Executive Documents* (hereafter cited SED) Serial 1023, p. 537. Elias Rector to Commissioner of Indian Affairs September 20, 1859.

² SED, Serial 919, p. 292. Report of Commissioner to Secretary of the Interior 1857.

The government's motives in both the removal and reservation-assimilation policies were economic ones designed for the benefit of the Anglo, but its methods, dating from the days of Mad Anthony Wayne, were not originally intended to be oppressive. The federal policy of removal was coupled with an attitude of unctuous paternalism which oozes from records left by Indian Agents and their superiors. The Bureau saw itself as the representative of the Great White Father whose duty it was to stand tall under the "White Man's Burden." Commissioner of Indian Affairs Orlando Brown wrote in 1849 that ". . . there is encouraging ground for the belief that a large share of success will, in the end, crown the philanthropic efforts of the government and of individuals to civilize and Christianize the Indian tribes." ³

The Indians' administrators exhibited the prevalent values of their times in the tradition of what has been mis-named the "protestant ethic," which included hard work, thrift, deferred gratification, cleanliness, and private ownership. To the whites these qualities were the *sine qua non* of civilization, and there appeared to be no reason why the Indians should not adopt them as their own. Indian culture, on the other hand, was more communal, less acquisitive, and embodied a philosophy of "God will provide." The Indian suffered from the stereotyped image of him created by the whites which has lasted to this century (cf. "The Indian in his old environment had no home life, as we understand the term . . . there were none of the niceties or privacies which characterize the home of an Anglo-Saxon . . .") ⁴, the most flattering of which was that of the "noble savage."

The tragedy of Anglo-Indian relations of this era was that there were few public checks upon the Bureau's well-meaning but heartless administration of the Indians. The population of the East was indifferent; the population of the West was overly hostile. Meanwhile, the Bureau gamely muddled through the fifties, hoping that the Indian could, in the long run, be transformed into a white man. Commissioner George Manypenny, who remained sincerely interested in the Indians long after he retired from public office, wrote to the Secretary of the Interior that ". . . the red man can be transformed in his habits, domesticated, and civilized, and made a useful element in society, there is abundant evidence . . . He is, indeed, the victim of prejudice

³ United States Congress. *House Executive Documents* (hereafter cited *HED*) Serial 570, p. 957. Report of Commissioner to Secretary 1849.

⁴ G.E.E. Lindquist. *The Red Man in the United States*, (New York, 1923), p. 67.

. . . the history of the sufferings of the Indian has never been written; the story of his wrongs never been told. Of these there is not, and never can be, an earthly record.”⁵

THE NEOSHO AGENT

“In former times, when I was a boy . . . (Indian agents) were men who stood deservedly high. The man who was then intrusted (sic) with the functions of an Indian agent, was an honest man. He was not driven there as a refugee from home; he was not placed in his position by politics or family influence; he was placed in it on account of his qualifications for serving the Government with fidelity, and protecting and vindicating the rights of Indians from imposition.”

—Senator Sam Houston
Congressional Globe, 1857⁶

The life of the Indian agent on the antebellum frontier was not easy. He was a caretaker of the tribes under his jurisdiction and served a diplomatic function as well by negotiating and enforcing treaties between the Indians and the Government. He was responsible for the custody and payment of annuity funds allotted to the Indians. If cases of outright embezzlement were rare, those of nepotism and nest-feathering were not. The Indian agent was solely responsible for the employment of other whites who served the Indians as millers, blacksmiths, and farmers. Each new agent, judging from agency files, suffered a rash of “resignations” in favor of the new agent’s friends. Many agents of the fifties were holdovers from the administration of the War Department and occasionally they held military titles.

The Indians of the Neosho Agency in this era were fortunate in having one agent, Major Andrew J. Dorn, during the entire decade, with the exception of the period from late 1851-3 when he took a leave of absence due to illness. The arrival of Dorn in 1849 must have been a relief to the Indians who had been plagued for the previous five years with two less than sympathetic agents. James Raines, who had been a Know-Nothing in the Missouri Senate, left the Agency in 1848, after having been accused of embezzling \$300 from the Rev. Samuel Patterson of the Crawford Seminary on the Quapaw Reservation.⁷ His successor, B. A. James, appears to have had trouble obtaining the resignations

⁵ Commissioner of Indian Affairs, *Annual Report*, (1856), p. 22, (hereafter cited *Annual Report*).

⁶ *Congressional Globe*, 34th Cong., 3rd Sess., (1856-57), p. 533.

⁷ National Archives Microfilm Publications, *Letters Received by the Office of Indian Affairs 1824-91*, Microcopy 234 (Rolls 531-532: *The Neosho Agency 1848-61*), National Archives and Records Service, Washington D. C. (1958), Roll 532, Frame 244 (A. Williamsen to Commissioner, May 24, 1857). (Hereafter cited as 532:244).

of his predecessor's appointees to agency sinecures. For instance, James had requested the resignation of Raines' miller, James Cravens. Cravens had agreed, providing James wrote him a good recommendation to the War Department. This James failed to do but replaced Cravens with a man named Bradford, whom Cravens claimed was not only inept but a drunkard. The Agency Indians entered the act, writing to the Commissioner that Cravens had never been much of a miller since he was away a good deal of the time. When he was there they felt he was a bad influence on the young braves and, further, they did not feel there was much need for a miller anyway. James justified himself by stating to Commissioner Medill that Cravens was Raines' brother-in-law and that "they are both prejudiced against me. The controversy raged on, as other disgruntled whites claimed that James gave Samuel Vallier (the U. S. Quapaw Interpreter) a drink in the summer of 1848. The end result of this fracas was that James was transferred to the Sac and Fox Agency in 1849.⁸

An agent's attitude toward his Indians is evident in his letters and requests to Washington. Many agents tended to preach the value of "civilization" but Dorn's correspondence to his superiors never takes on this supercilious flavor. The Indians, rarely effusive in their praise of the white man, wrote to their "Great Father" in April, 1850: "You have sent to attend to our Indian affairs Major Dorn. We like you for doing so—he is a good honest man. We thank you for sending an honest man to us . . . —This is all we have to say, but wish you to hold us by the hands & we send our Friend and Agent to attend to our business—True he is small but he is good."⁹

Little is known about Dorn, except that he was born in New York and was a resident of Missouri when appointed Agent. According to the Agency files his record between 1849-61 is absolutely unblemished; this by itself is no small indication of his integrity.

The bulk of Dorn's time was spent in handling nagging bureaucratic matters, in listening to the grievances of both whites and Indians, and in the general administration of agency business. His job dissolved into countless letters requesting funds (often ignored), transmitting the Indians' own petitions, and, only occasionally, commenting on the activity with the Agency. In 1851

⁸ 531:191-193, James Cravens to Commissioner, December 29, 1848; *ibid.*: 105, 156, Quapaw Chiefs to President, August 22, 1848; *ibid.*: 278-80, B. A. James to Commissioner, February 20, 1849; *ibid.*: 199, J. M. Harlin's affidavit, September 23, 1848.

⁹ 531-405, Senecas and Seneca/Shawnees to Commissioner, April 20, 1850.

the old Neosho Sub-Agency and the Osage Sub-Agency were united to form the Neosho Agency (later the Quapaw Agency). This considerably extended the territory for which the Agency was responsible. The replacement for Dorn during his illness, W. S. S. Morrow, wrote to Commissioner Luke Lea in July, 1851, to suggest that a new Agency House be constructed at the Crawford Seminary, 20 miles north of the old Agency House, making it only one day's ride from the old Osage Sub-Agency, instead of seventy miles. By December his letter lay unacknowledged and Morrow forwarded his request to Senator James C. Jones and Congressman C. H. Williams. Nothing was done about a new agency for the Crawford Seminary closed abruptly in 1852. In 1855 Dorn requested \$600 for a new shingled roof, a rebuilt fireplace, new "chinking and daubing," and a fence and gate to be installed around the building. Dorn's request was framed by a plea as eloquent, and about as demanding, as any forgotten civil servant's: "I trust you will grant this small allowance that I may make my residence as comfortable as possible in an Indian country, where you are very well aware that there are not many of the luxuries of life at best." A note scribbled on Dorn's letter by the Bureau indicates that it allotted him \$400 with which he could hopefully make the building "tenantable."¹⁰

Dorn was shrewd enough to avoid most of his predecessor's appointment crises. His philosophy differed from that of B. A. James. James would have eliminated the positions of the farmer and the blacksmith on the Quapaw, Seneca, and Seneca/Shawnee Reservation, in favor of giving the Indians just academic and mechanical training. Dorn felt that these positions (guaranteed to the Indians by treaty as part of their annuity) were necessary because such training was important in an agrarian society and it also gave capable young Indians employment as Assistants. In one letter requesting the retention of an assistant Smith, he asked "... does the Government want Squaws to act as strikers?" Dorn's criteria for the selection of these whites was their sobriety, industriousness, and absence of profanity. He wanted people who would be "good examples to the Indians."¹¹

Agent Morrow did not possess Dorn's appointive skill. A petition written to Commissioner Lea in September, 1851, by D. H. Penn, the late Osage Interpreter, demanded to know the

¹⁰ 531:485, Morrow to Commissioner, July 23, 1851; *ibid.*: 556-7, Morrow to Jones, December 12, 1851; *ibid.*: 877-79, Dorn to Commissioner, January 24, 1855.

¹¹ 531:116, James to Commissioner, August 22, 1848; *ibid.*: 990, Dorn to Commissioner, November 19, 1849; *ibid.*: 460, Dorn to Commissioner, March 15, 1850.

reason for his removal; he felt that Morrow had been "influenced by some individual". Dorn was careful to keep his interpreters able and monetarily content. The interpreter was an educated and valuable man who straddled two worlds. One example of an interpreter's dilemma is seen in 1856 when Dorn attempted to negotiate a new treaty with the Osages. In a letter to the Commissioner he commended his Osage Interpreter Charles Mognrain for his efforts in promoting the negotiations, and states that Mognrain absorbed the brunt of the Indians' displeasure. In 1854 Dorn asked that the Department raise George Herron's annual wage as Seneca/Shawnee Interpreter from \$250 to \$300, in order to keep him. There is no indication that the Department acquiesced, nor is there any that Interpreter Herron resigned—but at least Dorn had made the effort.¹²

Dorn was in continual supplication for funds with which to feed the Osages when they gathered in the fall to receive their annuities, and to feed the Indians when they came to the Agency to talk business. This would be, he maintained, good public relations. In 1854 he wrote Commissioner Manypenny that feeding five or ten Indians overnight or longer (on a salary of \$1000 annually) was "burdensome", and he requested \$200 more a year. In 1857 Dorn's Superintendent at Fort Smith, Arkansas, wrote to Manypenny that Dorn should be reimbursed, but added sternly that the Agency should not "encourage the habit of idleness."¹³

Dorn's letters to Washington contain endless requests for money, both for his Agency and for the Indians themselves. It is, of course, impossible to achieve a very complete portrait of Dorn as a person, but when his correspondence is compared with that of other Neosho Agents (Raines, James, Morrow, and in 1861, P. P. Elder) Dorn was the most compassionate of the lot. If anything he appears to have taken the Indians too much at their word. Perhaps, as Agent, he felt he was merely an intercessor for the people in his charge, and not a policy-maker. In any case he forwarded most of the Indians' requests without comment, except to plead their case. He remained a staunch friend of the Indians and there is no doubt that they, in turn, respected him. Over a period of ten years, he alone of all the agents, possessed a record completely free of complaint.

¹² 531:507, D. H. Penn to Commissioner, September 21, 1851; *ibid.*: 990, Dorn to Commissioner, March 6, 1856; *ibid.*: 705, Dorn to Commissioner, May 24, 1854.

¹³ 531:412, Dorn to Commissioner, June 4, 1850; *ibid.*: 720, Dorn to Commissioner, May 24, 1854; *ibid.*: 1053, C. W. Dean to Commissioner, January 2, 1857).

THE NEOSHO INDIANS

The removal policy of the United States made the Neosho Agency in the northeast corner of the Oklahoma Territory a polyglot mixture of tribes that included the Quapaw, Seneca, mixed bands of Seneca and Shawnee, and the Osage. Of these tribes, the "Sandusky" Seneca (which also included the Cayuga, Oneida and Conestoga) had forfeited their lands in Ohio by treaty in 1831, and the Seneca-Shawnee ceded their lands near Lewiston, Ohio, in 1832. The Quapaw, indigenous to the eastern Plains, had been shuttled about with considerably more abandon. In 1818 they ceded a sliver of North Louisiana, roughly half of Arkansas, and Oklahoma south of the Canadian River, to the United States, keeping only a small area around Pine Bluff, Arkansas. That was signed over in 1824, due to intense pressure by the whites for Quapaw land. The Quapaws, with much hardship, trekked west to live with the Caddo tribe in Oklahoma. Tired of a shiftless, miserable life with the boorish Caddo, they moved, in 1833, to the Neosho area under a new treaty which promised them the protection of the United States "against all interruption or disturbance from any other tribe or . . . any persons whatsoever." The Osages, who had previously occupied northwest Arkansas, western Missouri, southern Kansas, and northern Oklahoma, signed treaties in 1818 & 1825 exchanging that land for an area in the southeast corner of Kansas.¹⁴ The heart of the Neosho Agency was the tract occupied by the Quapaws. This tribe, perhaps believing that discretion is the better part of valor, had a long history of cooperation with the whites—Spanish, French, and American—who controlled their lands. The great Quapaw Chief, War-te-she, brought this to the Great Father's attention in 1860 when the corn crop failed and the tribe requested government aid: "My father we have always been the friends of the white people, and we have never spilled the blood of the white people, nor have the white people ever spilled the blood of my people . . . my people are very needy . . . we hope the Great Father will open his heart and take pity on his Quapaw children . . ." ¹⁵ Such coexistence did not apply to other tribes, against whom in the days prior to removal, the Quapaw had waged war with ferocity. They were not without an inbred sense of chivalry, however. Grant Foreman relates that once when the Quapaw and the Chickasaw were at war the Chickasaw had no more powder. In order not to take advan-

¹⁴ U. S. *Statutes at Large*, Vol. VII, pp. 351, 348, 176, 232, 432, 107, 240.

¹⁵ 532:332, Dorn to Commissioner, November 30, 1860.

tage of such a misfortune the Quapaw chief divided the Quapaw supply with the Chickasaw and the battle raged anew.¹⁶

While the morale of the Quapaw did not deteriorate drastically—for they were extremely honest people with a high personal and tribal integrity—their several removals and their continual contact with the whites diminished their grandeur. In 1844 Henry Schoolcraft pictured them as “indolent, much addicted to the use of ardent spirits . . . (they) cultivate, generally about one hundred acres of corn, in a slovenly manner.”¹⁷ An interesting contrast in the attitudes of Agents Dorn and Morrow toward the Indians is revealed in their appraisals of the Quapaw character. Morrow in his annual report of 1852 said: “The Quapaw are very indolent and lazy; but few of them like to engage in agricultural pursuits. Nothing but starvation staring them in the face stimulates them to labor.”¹⁸ Dorn, however, felt that “The Quapaw Indians are, and ever have been a peaceable and well-disposed people, living up to what they have stipulated with the United States Government under former treaties . . . Many of them are very poor . . .”¹⁹

Though uninspired cultivators, the Quapaws were fortunate that their rich black soil produced enough in a good year to justify sale of surplus corn, wheat, rye, oats, and potatoes to the surrounding whites (the proceeds from which, their Farmer informed Dorn in 1857, was applied toward whiskey).²⁰ They seem to have adopted many white customs with ease. Their old, long bark-covered houses built on mounds disappeared, and in their stead neat log cabins appeared, many of which were more sophisticated than those of the whites.

The Quapaws either felt a peculiar attraction toward the United States or possessed an acute sense of diplomacy, for in 1850 they requested an American flag to be displayed on special occasions. Forwarding their request to Washington Agent Dorn also suggested that a medal would be in order for their chief, Joseph Vallier, whom he considered a most worthy and honorable man.²¹

¹⁶ Grant Foreman, *Indian Removal*, (Norman, Oklahoma, 1932), p. 308.

¹⁷ Henry R. Schoolcraft, *The Indian in His Wigwam, or Characteristics of the Red Race of America*, (New York, 1848), p. 385.

¹⁸ HED, Serial 673, Morrow's report to Commissioner 1852, p. 395.

¹⁹ 531:1076, Dorn to Commissioner, July 20, 1857.

²⁰ SED, Serial 919, Farmer to the Quapaws to Dorn, August 18, 1857, p. 498.

²¹ 531:418, Dorn to Commissioner, June 2, 1850.

Of all the Neosho tribes the Seneca-Shawnee band, numbering between 250 and 300, was best acclimated to the white value system.²² Each annual report submitted by the agents notes that these were hardworking farmers who consistently raised a surplus and held large stocks of cattle, horses and hogs. Dorn noted that they were "the most industrious and enterprising Indians under my charge."²³ They managed to keep themselves free of liquor. With these "civilized" qualities they remained skeptical of white schools, preferring to educate their own. In the same manner they rejected white religion and held fast to their old faith. The Senecas totaled about 175 during the fifties.²⁴ While they were farmers, they were less diligent than the mixed band; possibly due to their inclination toward alcohol. They, too, refused to send their children to school.

The largest Neosho tribe was the Osage which averaged between 3,500 and 4,000 members. Living in lodges covered with mats made of the reeds that grew in the prairie swamps, they lived in decided contrast to their neighbors. Their environment, with its poorer soil and lack of woodlands, was hardly an inducement for them to become great farmers, but in addition, the Osages had a history of depredations which heightened in the fifties when the whites began closing in on their lands. Their hostilities were not limited solely to the whites. Agent Morrow reported in 1852 that the Osages, united with the Kiowas and Kaws, attacked a hunting party of Pawnees and killed one chief and scalped a woman before fleeing.²⁵ Again in 1857 Agent Dorn inquired of Osage Chief Tally about a Sioux scalping, which had been attributed, with some due suspicion, to the Osages. Tally replied only that he had seen a fresh scalp in a Kansas camp and that he knew nothing more than that. Dorn took him at his word, since he considered Tally "one of their most reliable men." Dorn considered the Osages to be "wild and unmanageable" in 1854, and they appear to have made small improvement as the decade progressed. One example of Osage rambunctiousness was their destruction of the post of the traders Giraud and Chouteau. These two men, both married to Osages, made claims on the Osage tribe for remuneration. As agent, Dorn was the middleman, but to no avail. He wrote to the Commissioner that "I have presented the claims . . . which they rejected as they do all others. Likewise, in 1852,

²² *SED*, Serial 919, Dorn to Commissioner 1857, p. 493.

²³ *HED*, Serial 673, Morrow's report to Commissioner 1852, p. 394.

²⁴ *SED*, Serial 919, Dorn's report to Commissioner 1857, p. 493; *HED*, Serial 673, Morrow's report to Commissioner 1852, p. 393-5.

²⁵ *HED*, Serial 710, Dorn's report 1853, p. 379; *HED*, Serial 673, Morrow's report to Commissioner 1852, p. 396.

some Osages burned their own tribal mill, and Morrow wrote the Department saying "I have concluded to sell the wagon and oxen belonging to the mills, and await your instructions . . . If they are not sold the Osages will kill the oxen and destroy the wagon." ²⁶

The wrath of the Osages turned often against their brothers who had married with whites (predominately French). These mixed bloods were accepted by neither the Indians or the whites. They compensated by adopting white methods of farming and trading and were often quite prosperous. Their less enterprising but full-blooded relatives occasionally visited their homesteads: "In default of being invited to eat, they unceremoniously take it wherever they can find it. They consume almost everything raised by the half breeds, and consider it prerogative to do so. In addition, when the annuity goods are distributed, the half breeds are turned off without anything." ²⁷ The problem, as seen by Tally, was that the Osages wanted the civilized things that the Cherokee and Choctaw neighbors to the south received from the government. The Osage was still a savage, he claimed, because the government did not deliver on its promises to send farming implements and stock to help them set up farms. Instead, he claimed, the government had bilked the Osages by exchanging their old Missouri land for a part of Oklahoma that was not only bare of timber but pestered by marauders from the Great Plains. The government does seem to have kept the Osages on teaterhooks, even with prescribed matters such as annuities. Several times the annuity shipment did not arrive until after the Osages had gone on their fall hunt, and the Osages were understandably cranky for lack of blankets and food. When they received their fall allotment in the spring, claimed Dorn, they did not need the blankets and sold them to bootleggers for whiskey. ²⁸

Bootleg, a problem which existed for all the Neosho tribes, was especially serious among the Osages. This was partially due to their wild character, but it was also the result of an unsuccessful confrontation with white culture. Of all the Neosho Indians, the Osages conformed least to white expectation. Their lands had been circumscribed, their hunts made difficult by lack of game, and the federal government remained stolidly unsympathetic to the problems of transformation from the semi-nomadic life to the

²⁶ 531:1101, Dorn to E. Rector, May 27, 1857; *Annual Report*, 1854, p. 124; 531:713, Dorn to Commissioner, May 25, 1854; *ibid.*: 539, Morrow to Commissioner, April 19, 1852.

²⁷ *HED*, Serial 673, Morrow's report to Commissioner, 1852, p. 397.

²⁸ 531:618, Osage Chief Tally statement, February 1, 1853; *HED*, Serial 710, Dorn's report to Commissioner, 1853, p. 378.

settled agrarian one. The influx of whites onto his lands aggravated the situation. In the spring of 1858 Dorn was compelled to request a company from either Fort Scott or Fort Leavenworth to assist him in distributing annuity goods. He explained to Commissioner Mix: "This is made necessary by various reasons; at best, the Osages are wild, savage, imprudent and ungovernable, but more particularly so when the Country is flooded with whiskey, which is the case most of the time and particularly so at payments when . . . the whiskey vendors are numerous in the Eastern and Northern borders and awaiting the payment with great anxiety."²⁹

The penalty for selling bootleg was stiff—two years in prison. However, the obstacle lay in obtaining a conviction from frontier judges and juries who were apathetic toward bootleggers and hostile toward the Indians. Agent Morrow noted in 1852 that there was a distillery operating near the Missouri line next to Indian lands, but that Missouri law was too lax to prosecute. Dorn's superior, Superintendent Thomas Drew, wrote the Commissioner that they had caught an habitual offender, and that it was imperative to have the services of a good prosecutor to assure the Indians that the law could be enforced.

Alongside the annoyance of bootleg existed the ever-present threat of epidemic. It was the agent's duty to see that the Indians were cared for, not only for humanitarian reasons, but also because on forays off the reservation they might infect the whites. Measles, followed by typhoid fever, racked the agency in 1852. Forty Quapaws of a population of 354 died that spring as did one thousand Osages. Several years later these same tribes suffered an epidemic of smallpox. At this time Dorn contacted Dr. Edwin Griffith of Jasper County, Missouri, to vaccinate and care for the Osages. In his report to Dorn Dr. Griffith said he had travelled 450 miles (he had to overtake one band of Osages who had departed on their spring hunt) and altogether vaccinated over two thousand Osages. As the plague subsided he instructed the Chiefs how to vaccinate those tribesmen he had missed. His charge to the Government was \$600 but as Dorn pointed out to the Commissioner, Dr. Griffith had done a thorough job in view of the fact that travel in Osage country was anything but pleasant.³⁰

Bootleg and disease were two of the more disastrous white gifts to the Indians. But there also existed some whites who at-

²⁹ 531:1165, Dorn to Commissioner, April 8, 1858.

³⁰ *HED*, Serial 73, report to Commissioner, 1852, pp. 393; 531:773, Thomas Drew to Commissioner, November 25, 1854; *ibid.*: 896, Dorn to Commissioner, May 10, 1855; *ibid.*: 907-10, Edwin Griffith to Dorn, June 20, 1855; and Serial 673, Morrow report to Commissioner, 1852, p. 395.

tempted to ameliorate what they considered to be the dreary, savage, and pagan lives of the Indian. On the Neosho lands these evangelists were Roman Catholic. The Reverend Samuel Patterson (Methodist) had operated the Crawford Seminary on the Quapaw Reservation until he left the reservation suddenly in 1852.³¹ When it closed at that time, the Quapaws sent their children to the Osage Manual Labor School (located in Neosho County, Kansas) which was under the direction of Father John Schoenmaker. A Jesuit institution, the School's first objective was that of conversion. By 1848 the first Quapaws were baptized, followed by a number of others in 1850, and by members of the influential Vallier family in 1853. The Osage Manual Labor School was the only means of education open to the Neosho Indians. The Senecas and Seneca-Shawnee band remained aloof, but the Quapaws and Osages were eager to take advantage of the opportunity. Although attendance was irregular, the school had enrolled about one hundred students for whom the government paid the tuition of \$55 per pupil. The curriculum was composed of classes in geography, history, religion, penmanship, spelling, writing and reading in which they used the texts *The Universal Reader* and *Reeve's History of the Bible*. Sewing and needlework were taught the girls, and mechanics and farming to the boys. Father Schoenmaker and his staff tried desperately to discontinue the practice of polygamy among the Osages by promoting an aura of gentility and grace among his female charges. His thesis was interesting but naive: "Because of their rough and uncultivated manner, they (the women) are disrespected and unassisted although the men are soft and of a flattering tendency. Such women can effect no salutary influence on the hearts of husbands." He went on to say that if the women were educated they would be "ennobled" and gain the "love and affection of the men."³²

The implicit objective of any mission school was to remake the Indian into a red copy of the white man. Always there remained the confusing Western equation of work and religiosity: "I have heard many an Indian say, What good will it do me if I wear out my body by labor, and tomorrow perhaps I must die? Explain to them that the soul dies not . . . cultivate their understanding with motives of a future and permanent happiness . . . the Osage Indian will not . . . become a good Christian without

³¹ *HED*, Serial 570, Samuel Patterson to Dorn, October 5, 1849; Serial 673, Morrow report to Commissioner, 1852, p. 395.

³² *Op. Cit.*, p. 312; Velma Nieberding, "St. Mary's of the Quapaws", *The Chronicles of Oklahoma*, Vol XXXI, No. 1 (1953); *SED*, Serial 919, Dorn report to Commissioner, p. 495; *Annual Report* 1854, pp. 126-7.

industry and labor; these two must go in hand, like body and soul, to make a reasonable man.”³³

Part of the problem lay in that the white men whom the Indians saw working were those hired by annuity monies for the purpose of instructing the Indians in their trades. The Indians, understandably, figured that these smiths, millers and farmers were their servants. Such a situation only reinforced the attitudes of the Indian men for whom toil had traditionally been anathema.

Even more serious than this attempt to separate the Indian from his old way of life (for it can be defended on the grounds that the Indian's survival in a rapacious white society was at stake) was the undermining of the Indian's traditional religion by the “good white fathers.” The latter were unquestionably both devoted and dedicated to God and to the Indians; but the destruction of their old religion and its replacement by something artificial and meaningless left them as tribes and individuals without their traditional moral restraints. The Indian was uprooted and placed in an ethical no-man's land composed of vestiges of his traditional religion with a veneer of Christianity. At least one agent, B. F. Robinson, of the Delaware Agency, had his doubts about the benefits of this system. Since the government was unable or unwilling to provide schools, the church-affiliated school continued to flourish as a reservation institution.³⁴

The second group of influential whites who legally occupied reservation lands were the traders. Though not altruistic, they were responsible bonded individuals who served as the first link between the Indian and the larger white community. Often these men were part Indian, such as the Mathes (or Mathis) brothers on the Neosho in the late forties, and ran small one-man enterprises. Others were partners or employees of large trading concerns, such as Walker, Chick & Northrup. These men informally advised the Indians and occasionally acted as witnesses on legal documents. Such tasks of public relations aided their sale of white man's goods to the Indian in return for the Indian's annuity money. Items available to the Osage were, for example, colored blankets (indigo, scarlet, white), cloth, coffee, fine flour, sugar, gun powder, plates, bowls, mugs, teapots, etc.³⁵

³³ *Annual Report*, 1856, p. 137.

³⁴ *SED*, Serial 974, B. F. Robinson to Commissioner, 1858, pp. 462-3. An illustration of this was seen on the grounds of the Presbyterian Hospital-Mission complex at Ganado, on the Navaho reservation until the late 1950's where a sign at the entrance read: “Tradition is the Enemy of Progress.”

³⁵ 531:757, lists of goods to the Osage, by Walker, Chick & Northrup, April 1854.

It must be remembered that the trading system, whatever its disadvantages, at least provided the Indians with some regulation of the trader's conduct. That the Indian needed this scanty protection is shown in the following incident. James Barbee, a white unknown to Dorn, contracted with thirteen Osage braves to take them to Washington to perform their dances. He promised, in return, to split the profits with them. Although Dorn advised the Indians against it, arguing that they would be swindled in Washington, the braves departed in November, 1859. In February Dorn reported that Little Bear, the Osage chief, was very uneasy over the fate of his men and feared that Barbee may have abandoned them. The Indians were very gullible when confronted with the bittersweet wonders of the white man's way of life, but in no situation were they so abused as in their territorial conflicts with emigrant whites.³⁶

PECULIARITIES OF THE FIFTIES

*The existing laws for protection of the persons and property of Indian wards are sadly defective. New and more stringent statutes are required . . . The rage for speculation and the wonderful desire to obtain choice lands, which seems to possess so many . . . causes them to lose sight of and entirely overlook the rights of the aboriginal inhabitants. . . . the Indians have been personally maltreated, their property stolen, their timber destroyed, their possessions encroached upon and divers other wrongs and injuries done them.*³⁷

—George Manypenny
1856

The tide of whites that flowed onto Indian lands, and the negotiations of new treaties with the Neosho tribes to replace those which had expired were two characteristics of the 1850's that made this decade distinct from either the forties or the sixties.

The incursions of the whites permitted Andrew Dorn no respite. Nearly every letter he wrote to the Commissioner or to his Superintendent contained references to the white squatters. Off-hand one might expect Dorn to have had a certain sympathy with these settlers, but it must be remembered that they were not of Dorn's social rank or intellectual caliber. The Indian agent was one of the frontier elite; Dorn and his colleagues wrote a clear hand with a coherent, though perhaps not compelling, style. The emigrants were far less sophisticated, as seen in this letter to "The Honble" Geo. W. many-penny": "(the Indians) are trying to make the few settlers leave their homes and further they have been hostile to the settlers . . . There was 2 or 3 difficulties occur-

³⁶ 532:83, Dorn to Commissioner, December 16, 1859, and 531:294, Dorn to Commissioner, 1860.

³⁷ *Annual Report*, 1856, p. 21.

ed all most in the Loss of Life.”³⁸ If they were unlettered, they knew their rights; Agency files burst with scribbled notes to Superintendents, members of Congress, the Commissioner, the Secretary of the Interior, and even to the President, demanding to know which lands were to be set aside for permanent Indian use and which might be open to public auction. If they were confident of their own rights as voters they were oblivious to those guaranteed the Indian by treaty: the Commissioner in 1860 labelled them “. . . a large class of persons having but little regard for the obligations of law, and none whatever for the rights and welfare of the Indians . . .”³⁹ Awaiting the answer of the indecisive Bureau, they cut the Indians’ timber, stole their stock, burned their cabins, and committed other acts of depredation. The law was clear—only those whites authorized by the agent were to have access to the reservation lands and to its Indians. But the requests by the agent for sanctions, such as troops from a neighboring fort, fell on deaf Washington ears. General J. W. Denver of Fort Scott lay the blame on Dorn, writing the Commissioner in 1858 that “if Agent Dorn is not very active and decided, in the course of the next summer he will find his agency occupied by whites instead of Indians.”⁴⁰

Two complications existed in the form of the Kansas slavery controversy and in the government’s indecision regarding the territory to be allotted to the “New York Indians” in southern Kansas. “Bleeding Kansas” tended to attract those whose differences regarding slavery did not impede their unity in persecution of the Indian. Dorn cited one incident to Superintendent Rector where an Osage widow was threatened and her house burned by “robbers and Jayhawkers.” In 1858 he wrote that he needed the authority to call in troops to protect his Indians: “In Kansas of late, law and instructions are almost powerless without troops to aid the civil officers in executing them.”⁴¹

The “New York Indians” (composed of the Cayuga, Oneida, Stockbridge, St. Regis, and Munsee tribes) were not properly under Neosho jurisdiction, but apparently shared the facilities with that of the Miami Agency. They had arrived from New York in the late 1840’s and during the 1850’s, and had been given a strip in southern Kansas as their tract. Its boundaries, however, were as ill-defined as the government’s general land allotment policy

³⁸ 531:953, the Little Osages to Commissioner, July 20, 1855.

³⁹ SED, Serial 1023, annual report of Indian Commissioner to the Secretary, 1859, p. 380.

⁴⁰ 531:1159, Gen. J. W. Denver to Commissioner, February 1, 1858.

⁴¹ 532:137, Dorn to Rector, August 19, 1859, and 531:1164, Dorn to Commissioner, April 8, 1858.

was at this time. Many officials felt it would be fairer to both the Indians and to the white settlers if each Indian were allotted 320 acres of land with the remainder of the tribal lands put up for public sale, the proceeds of which would go into the annuity fund. Since no one man could cultivate more than this acreage anyway, this would give the Indian less land to manage, and would also satisfy prospective white constituents: "... a due regard for the interests of the white population of Kansas would seem to require that this large and valuable body of land should no longer be withheld from settlement."⁴²

Between 1855-1861, the New York Indians were battered about to the extent that many were forced to take refuge with neighboring Miami and Delaware tribes. Some, such as articulate and educated Cornelius Seth, a Stockbridge, considered retreat to Wisconsin as an alternative to possible extermination. Petitioning their Great Father, the Indians claimed that "our country became the object of cupidity and avarice of the white man . . . in many cases our people were beaten and compelled to leave their land and . . . in several cases were inhumanly murdered." They, as well as Dorn, were exasperated by the government's inability to decide whether to permit Dorn to call in the troops. George Crawford, a spokesman for the New York Indians, quoted Mrs. Seth: "'Uncle Sam oughtn't to cheat his red children.' She is afraid he would be glad to see them die off."⁴³

If this is not exactly what the bumbling self-styled philanthropists had in mind, they were determined to shrink Indian lands. This could be accomplished either by moving the tribes further west, or by negotiating new treaties. In 1854 the government concluded treaties with the Neosho tribes. The Osages sold fifty square miles of prairie land on their western border, the Quapaws one hundred sections of woodland, and the Seneca-Shawnee band agreed to part with 30,000 acres of woodland. The Senecas remained obstinate and refused any offers. In 1856 Dorn reported that the Quapaws had agreed to sell additional land, leaving 80 acres per person, to be held by the tribe in common. He included their hope "that (the Great Father) will take pity on his red children and give them a good price." However, a crisis presented itself when he had to deal with the Osages in 1856. Along with the annuity distribution in the spring he called a General Council of all the principal chiefs and counselors. An

⁴² 531:1199, Secretary of the Interior Greenwood, Chairman of House Committee on Indian Affairs, April 19, 1858.

⁴³ 531:745, Dorn to Commissioner, July 29, 1854; *ibid.*: 1138, Crawford to Denver, November 28, 1858; and 532: 730, New York Indians to the President, February, 1861.

obstacle arose immediately in the form of War Eagle, who was the brother-in-law of Michelle Giraud who had a claim against the Osages. If the Osages agreed to the treaty, Giraud's claims would have to be modified. Thus War Eagle remained dissatisfied with Dorn's proposals (a special half-breed reservation not taken from tribal lands, new lands west of the Verdigris River, and smiths for twenty instead of ten years), and he threatened bloodshed if the others chiefs agreed to Dorn's proposals. Several bands ran off, the meeting broke up, and Dorn wisely postponed negotiations rather than provoke a civil war.⁴⁴

Annuities posed an auxiliary problem for the Neosho agent. They expired for the Quapaws in 1853 and Agent Morrow predicted that "It is a crisis that they are illy prepared to meet. They are very poor, and when the government ceases to pay them . . . I cannot conceive of how they are to subsist . . ." ⁴⁵

With the arrival of an increasing number of whites to the Neosho lands came the question of whether annuities should be paid out in goods (blankets, utensils, livestock, tools) or in cash. Dorn was of the opinion that cash was fairer to all the Indians, because the goods were unequally distributed to the Chief's favorites. Morrow felt that with the Osages it did not make much difference, for they would only butcher the hogs and cattle and sell the plows for whiskey. The goods and/or cash totalled between seven to eight thousand dollars annually for the Osages alone, thus producing a considerable infusion of capital into the reservation. As early as 1849 the Commissioner stated that " . . . payment of large annuities in money is virtually a provision in favor of traders, and not of the Indian; for the money almost instantly feeds its way into the coffers of the former." ⁴⁶ By giving the Indians their annuity in goods rather than in cash the government could bestow large provisions contracts among the large (and voting) populations of St. Louis and Kansas City.

The troubled era of the fifties ended abruptly in the spring of 1861. The slavery issue had reverberations throughout the Indian Territory, but it was especially intense on the Kansas border, where emotions ran high and methods for defining issues drew a class of emigrants who had slight respect for the law and none at all for the rights of the transplanted Indians. The Super-

⁴⁴ 531:701, Dorn to Commissioner, May 20, 1854; *ibid.*: 1075, Dorn to Denver, July 26, 1857; *ibid.*: 981-91, Dorn to Commissioner, March 6, 1856.

⁴⁵ 531:728, Dorn to Commissioner, April 3, 1854, and *ibid.*: 629, Dorn to Commissioner, March 14, 1853.

⁴⁶ HED, Serial 673, Morrow report, 1852, p. 395; *ibid.*: Serial 673,, Morrow report, p. 398; *ibid.*: Serial 570, Report of Commissioner to the Secretary, 1849, p. 957.

intendency at Fort Smith, Kansas, was held in the last years of the decade by the capable but eccentric Elias Rector. In 1861 he joined forces with the Confederate Commissioner of Indian Affairs, Albert Pike, who was held in high esteem by most Indians. Thus he obtained at least the formal allegiance of the Indians for the Confederacy.⁴⁷ Dorn stepped down as Neosho Agent in May, 1861, for reasons unknown today, and Peter Elder replaced him. Things would never again be the same: "... at present it is unsafe here, not knowing what may be the result of the present commotion in this corner of Mo. and Arkansas. At present in the adjoining counties of Mo. the Union sentiment is predominant—how long it will remain so I cannot tell... this has much to do with the feeling extant here relative to the permanency and ability of the government."⁴⁸

A DECADE OF INERTIA

*"What a spectacle for the view of the statesman, philanthropist, Christian—a subject for the most profound consideration and reflection! With reservations dotting the eastern portion of the Territory, there they stand, the representatives and remnants of tribes once so dreaded and powerful as they now are weak and dispirited. They can go no farther; on the ground they now occupy the crisis must be met, and their future determined."*⁴⁹

—George Manypenny
1854

The 1850's were years becalmed in a sea of vacillation—a time of irresolution on the part of the Bureau of Indian Affairs which, so recently liberated from the Department of War, was unsure of its role in the final settlement of the West. George Manypenny was perceptive enough to realize that his department must make a stand, but the immensity of the problem seems to have overawed him. He blamed the chaos in the West upon intangible, impersonal forces: "... it seems impossible now to devise any means for attaining these desirable ends, by which all difficulties could be obviated and all obstacles avoided... Adverse elements have... been at work to thwart the wishes of the government and counteract the labors of the philanthropist... Such influences are believed to be as formidable, and more unscrupulous, now than at any former period of our history."⁵⁰

Many events occurring within the Neosho Agency were symptomatic of the social and political currents that rolled across

⁴⁷ Flora Warren Seymour, *Indian Agents of the Old Frontier*, (New York, 1941), pp. 22-3.

⁴⁸ 532:603-4, P. P. Elder to Commissioner, June 15, 1861.

⁴⁹ *Annual Report*, 1854, p. 10

⁵⁰ *Ibid.* p. 22.

the entire nation in this decade. In contrast to the Indians in the Far West, who were mercilessly overrun by gold-hungry immigrants, those under the Neosho Agency were fortunate in that the Indians were semi-"civilized" and living in the Indian Territory. Even with these advantages the Neosho Indians were undergoing a tortuous metamorphosis from the world of the red man to that of the white. Though sympathetic and well-acquainted with his wards, Major Dorn was powerless to alleviate their condition without specific instructions to this effect from Washington. This agency was one example of neither the best nor the worst under the Bureau's administration; its progress in these years is markedly free of sensation. Yet, both in time and location, it is a self-contained study of the American Indian in transition.

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THE CREEK TREATY OF 1866

By Gail Balman*

Many roads led to the Fort Smith Peace Council of September, 1865, at which the main issues of the Creek Treaty of the following year were resolved. Representatives of tribes and factions of tribes which had remained loyal to the Union made their way to the Arkansas fort in anticipation of a reconciliation with their intratribal and intertribal enemies of the past four years. Loyal Creek delegates and their agent, J. W. Dunn, left Fort Gibson on August 29 and were soon in Fort Smith greeting other elements of the Five Civilized Tribes (Cherokee, Choctaw, Chickasaw, and Seminole) and delegates from tribes in Kansas.¹

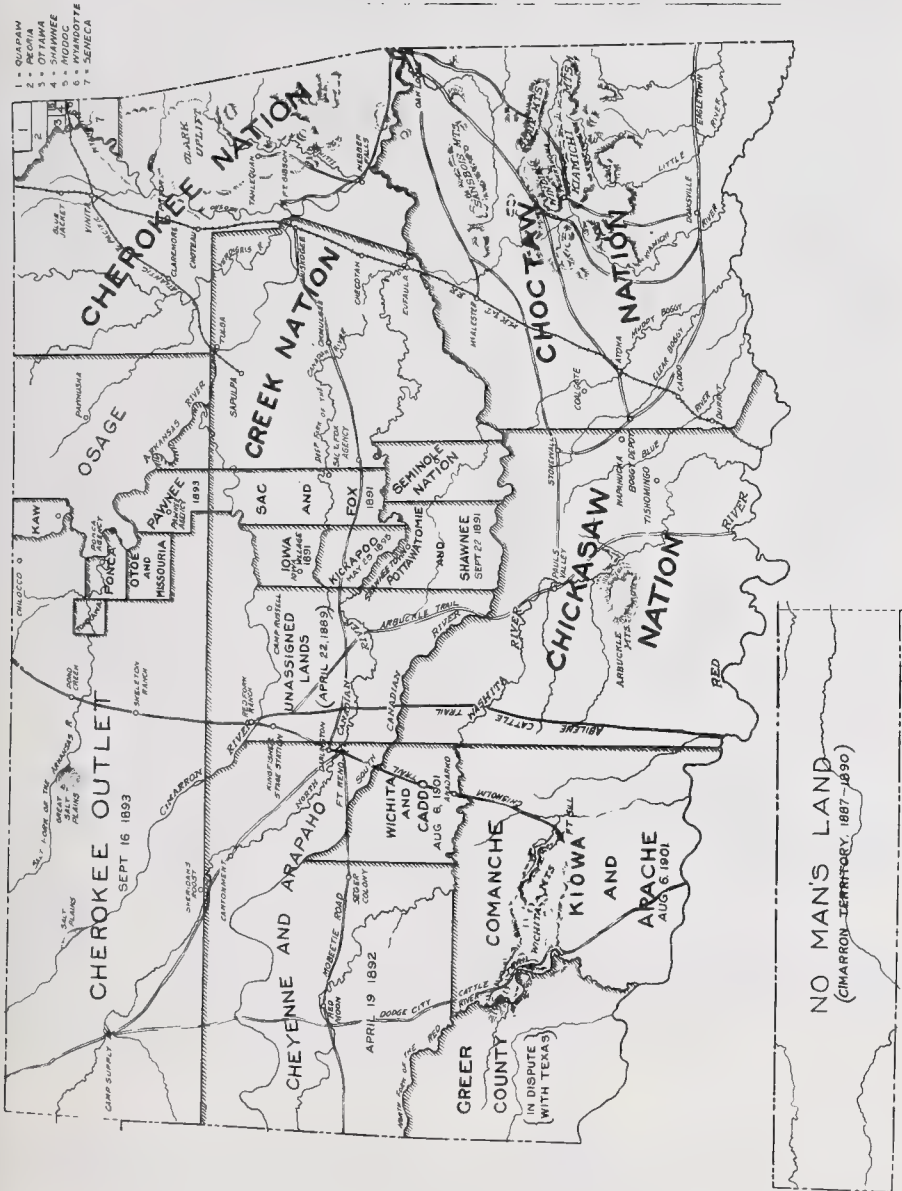
But not all of the roads led directly to Fort Smith, for the Confederate Indians were on their way to Armstrong Academy to attend a grand council in that location about 140 miles to the southwest of Fort Smith. Their hopes of receiving the loyal Indian leaders and Federal peace commissioners in a session of their grand council scheduled for September 1, were dashed with the arrival of a message from the commanding officer at Fort Smith, Brigadier General Cyrus Bussey, in which they were told that the Federal commissioners were going to hold a council with the Indian tribal delegates at Fort Smith at about that same time. Despite their disappointment and the knowledge that they would arrive late, they resolved to go. And so their road led indirectly to Fort Smith.²

One of the roads leading to the council was not a road at all. It was the water route from St. Louis down the Mississippi River and up the Arkansas River taken by one of the Federal commissioners, Brevet Major General William Selby Harney. An Indian fighter of long standing and a hero of the Mexican War, he held no active command during the Civil War and was only recently recalled from retirement. His military career began against the Indians in the Florida campaigns of 1818, and his greatest moments were those experienced under enemy fire. The only discredit brought upon him stemmed from his lack of appre-

* The author, currently Assistant Professor of History at Oklahoma Central State College, is a former graduate student of Dr. LeRoy H. Fischer, Professor of History and Civil War era specialist at Oklahoma State University. This article was written while the author was a member of Dr. Fischer's research seminar.

¹ Dunn to Sells, September 20, 1865, United States Department of the Interior, *Annual Report of the Commissioner of Indian Affairs for 1865* (Washington: Government Printing Office, 1865), pp. 290-292.

² Annie H. Abel, *The American Indian under Reconstruction* (Cleveland: A. H. Clark Company, 1925), p. 172; Angie Debo, *The Road to Disappearance* (Norman: University of Oklahoma Press, 1941), p. 166.



(From original map in Wright Collection)

MAP OF THE INDIAN TERRITORY IN 1890

The location of the Indian nations is given as the result of the treaties of 1866. Reservations assigned by the U. S. Government until 1883 to other Indian tribes are also shown.

ciation for the subtleties of personal and public diplomacy. There is little to indicate the years had mellowed him, even though he had observed his sixty-fifth birthday just prior to the Fort Smith council.³

The longest road to the rendezvous, and the one over which the main party of Federal commissioners journeyed, began in Washington, D. C., in the office of James Harlan, the Secretary of the Interior. For it was there that the former Senator from Iowa gave the Department's instructions regarding the council to be held at Fort Smith to Dennis N. Cooley, Commissioner of Indian Affairs. Cooley, because of his position, was naturally given an appointment as one of the Federal commissioners and he was joined by Colonel Ely Samuel Parker, General Ulysses S. Grant's military secretary and prewar friend, who was of Seneca and Iroquois antecedents. Elijah Sells, Superintendent of the Southern Superintendency of the Bureau of Indian Affairs, was accorded an appointment since it was in his area that the council was to be held. When James M. Edmunds, Commissioner of the General Land Office, declined to serve and Major General Francis Jay Herron, the youngest major general in the Civil War, also declined, a place on the commission was granted to Thomas Wistar, a member of the Society of Friends. Federal commissioners Cooley, Sells, Parker, and Wistar, accompanied by their aides and secretaries, left the Washington area shortly after Cooley received Harlan's instructions of August 16.

The party of Federal peace commissioners reached Fort Leavenworth on August 22, by rail and, from that Kansas military post, proceeded southward by wagon and converted ambulances under escort of 100 Federal cavalymen. They made their way over the rolling hills of eastern Kansas to Fort Scott by August 27, and no doubt viewed the devastation of the war years as they passed through Cherokee and Creek lands on their way to Fort Gibson. From the temporary Creek agency they turned southeast to Fort Smith and on the evening of September 5, they were greeted by Commanding Officer Bussey and Harney, the fifth commissioner.⁴

³ Frank L. Owsley, "William Selby Harney," *Dictionary of American Biography*, ed. by Allen Johnson, Dumas Malone, and Harris E. Starr (22 vols., New York: Charles Scribner's Sons, 1928-1958), Vol. VIII, pp. 280-281; Abel, *The American Indian under Reconstruction*, pp. 178-179.

⁴ *Ibid.*, pp. 173-179; United States Department of the Interior, *Annual Report of the Commissioner of Indian Affairs for 1865*, pp. 34 and 296; Earle D. Ross, "James Harlan," *Dictionary of American Biography*, Vol. VIII, pp. 268-269; see Johnson Brigham, *James Harlan* (Iowa City: The State Historical Society of Iowa, 1913) for the only full length biography of Harlan; Donovan Yeuell, "Ely Samuel Parker," *Dictionary of American Biography*, Vol. XIV, pp. 219-220; Earle D. Ross, "Francis Jay Herron," *Dictionary of American Biography*, Vol. VIII, pp. 593-594.

On September 6 and 7, one of the rooms in a building within the fort was readied for use as a council room and the commissioners held organizational meetings in which Cooley was made president of the commission. They also decided to make the first session of the council an open meeting after which each tribe or faction would have to limit itself to five delegates in attendance.⁵

The Creek assemblage was the largest of the tribal groups to attend the opening session on the morning of September 8. Sands (Oktarharsars Harjo), chief of the loyal Creeks, led the procession of more than twenty-two tribal dignitaries into the council room. Although the Creeks outnumbered any other tribal group, their principal spokesman, Little White Chief (Mikkohutkee), seldom took the floor, and the interpreter for the Creeks, Harry Island, did most of his work translating English into the Creek language. In addition to the Creeks in attendance at the opening session, there were Cherokee, Chickasaw, Choctaw, Osage, Quapaw, Seminole, Shawnee, Wyandott, and a delegation from the black population living among the Creeks and Eucheas. The Confederate factions had not yet arrived.

Cooley called the council to order and, after a prayer by Lewis Downing, acting chief of the Cherokees, told of the President's appreciation of those who had remained loyal to the Union, that portions of several tribes and nations had abrogated their treaties with the Union in favor of one with its enemies, that the President had sent the commissioners to settle the trouble among them arising from this disaffection and had authorized them "to make new treaties with such nations and tribes as are willing to be at peace among themselves and with the United States." At the conclusion of his address, Cooley invited replies.

The responses were but variations of one theme. They wanted more time to ponder what they had been told. Little White Chief said on behalf of the Creeks that they did not understand what the government intended to do in the council, but that they would respond in the afternoon.

Before adjournment, Cooley requested the delegations to be prepared at the afternoon session to show the authority by which they came to the council and to designate tribal delegates, five or less, to act as spokesmen and sign treaties. The afternoon session only brought about a greater feeling of uncertainty and apprehension among the delegates. Near the end, Cooley promised

⁵ Abel, *The American Indian under Reconstruction*, pp. 179-181; Cooley to Harlan, October 30, 1865, United States Department of the Interior, *Annual Report of the Commissioner of Indian Affairs for 1865*, p. 296; "Official Report of the proceedings of the council with the Indians of the west, and southwest, held at Fort Smith, Arkansas, in September, 1865," *Ibid.*, p. 315.

to explain at length the wishes and intentions of the Federal government at the next session. The commission, he was quick to add, expected definite answers from each nation so that it could take action and report to the President.

Cooley spoke frankly of their purpose at the morning session of the second day. They were to negotiate a treaty or treaties with any or all of the nations, tribes, or bands in Indian Territory, or Kansas, or the plains to the west. He displayed nine treaties which various tribes had made with the Confederate States, the earliest of which was the Creek treaty of July 10, 1861. Because these treaties had been made with the enemy, and by the provisions of a Federal law of July 5, 1862, "all these nations and tribes forfeited and lost all their rights to annuities and lands." The President did not want to take advantage of or enforce the penalties, but was anxious to renew the prewar relations by making new treaties.

Hurriedly moving on to firmer ground, Cooley read in detail the stipulations which each treaty was expected to include. They must include peace and amity for the tribe, for Federal relations, and for intertribal relations. Slavery must be abolished and the freedmen given tribal rights or "suitably provided for." Only in punishment of crime was involuntary servitude to be allowed. Part of the land which the tribes or nations had owned before the war were to be sold to the Indians of Kansas and elsewhere upon terms approved by the Federal government, or according to terms fixed by the government. There was to be some sort of consolidated government for all tribes and nations in Indian Territory. No white person, except officers, agents, employees of the government, or employees of any internal improvement authorized by the government, were to be permitted to reside in the territory, unless formally incorporated with some band or tribe according to their custom. Copies of the stipulations were given to the agents so they could be explained fully to the delegates. Before the council adjourned until Monday, September 11, Cooley asked for comments, to which Little White Chief replied that the Creeks had learned what the government wanted them to do, but that they would not be ready to reply until about Monday.⁶

The Creeks, like the others, needed time to adjust to the idea that a new treaty with the Federal government was a ne-

⁶ *Ibid.*, pp. 312-319; Abel, *The American Indian under Reconstruction*, pp. 181-190; for Harlan's instructions to Cooley, see *Ibid.*, pp. 219-226, and for Harlan's bill (Senate bill No. 459) which accompanied the instructions, see *The Congressional Globe Containing the Debates and Proceedings of the Second Session of the Thirty-Eighth Congress* (Washington: F. and J. Rives, 1865), pp. 1021-1024 and 1303-1310.

cessity and, until one was made, their annuities, land, and Federal protection were in jeopardy. From the stipulations there was no assurance that they would retain any significant portion of their land or have their annuities restored, even if they made a new treaty. As for Federal protection, mention of it must have recalled the miseries they suffered under the leadership of Opothleyahola after Union troops withdrew in 1861.⁷

On Monday, September 11, Parker announced to the assembled delegates that the Confederate factions planned to be present on or before Friday. Little White Chief and the Creeks were not yet ready to respond to Cooley's stipulations. Other delegations responding in Monday's session claimed they were not authorized to make a treaty with the United States but expressed a willingness to transmit such proposals to their tribal councils. Some of the delegations had expected to meet their Confederate factions and make a treaty of peace with them, supposing that such was the reason for the council.

In an answering statement by Parker addressed to the Seneca, Chickasaw, Seminole, Shawnee, and Quapaw delegations, he voiced regret that some of them had "not been invested with more general powers" so they could enter into "a proper treaty." He hoped a treaty of peace and amity could be made by the delegations and the Confederate factions, when they arrived, would be required to assent and subscribe to the same treaty or treaties made by the loyal factions. Such a treaty was necessary before any adjustments could be made on questions or interests regarding the previous treaties with the United States.

Parker's statement, made on the fourth day of the council, September 12, preceded the Creek response to the stipulations and the remainder of the day was taken by the Creek delegation. A defense of the loyal faction claimed that the Confederate men, along with their principal chief, had made the treaty with Albert Pike in 1861 while the loyal chiefs were absent from the tribe making a peace treaty with the Plains Indians. On their return, when it had become obvious that Pike's treaty would be ratified soon in a ratifying convention, Opothleyahola and the loyal group had withdrawn. Around this leadership the Unionist and neutral elements had gathered, only to be driven into Cherokee lands and northward into Kansas. They had fought three defensive battles with their Confederate pursuers and the last had been disastrous for they were overrun and scattered. The winter

⁷ John B. Meserve, "Chief Opothleyahola," *The Chronicles of Oklahoma*, Vol. IX (December, 1931), pp. 439-453; United States Department of the Interior, *Annual Report of the Commissioner of Indian Affairs for 1865*, pp. 39 and 254-255.

that followed caused many to die of exposure. With the spring of 1862 they had organized the First Regiment of Indian Home Guards, and this unit of the Union forces had fought well in the remaining years of the war. The price they had paid for their loyalty to the Union had been high and they did not now feel they should "be classed with the guilty."

At the close of their formal statement, which had been read by Creek delegate Sanford W. Perryman, Little White Chief gained the floor to explain that there were other matters which they had failed to include because of the shortage of time. He hoped they would be allowed to speak again tomorrow for there were things which they did not understand about the stipulation dealing with who could reside in their territory. The source of their puzzlement may have been the omission of any clear statement regarding free ingress of freedmen from the deep South or it might have arisen from the allusion to white workers on any internal improvement authorized by the Federal government.

Parker, who was presiding, interrupted to tell the Creek interpreter to "please explain that the treaty which we propose to sign tomorrow will in no way interfere with the other treaty which is being prepared, and which it is hoped the Creeks will sign." Little White Chief indicated he understood. Then a few moments of conversation between Parker, Little White Chief, and Shawnee agent J. B. Abbott served to explain to the satisfaction of the commission how the signatures of three loyal Creek chiefs had been affixed to the Confederate treaty by forgery. One of the alleged signers was Little White Chief, but Abbott stated that Little White Chief was with several Creeks who came to him in the summer of 1861, in Kansas while looking for their agent. This was during the signing of the treaty and freed Little White Chief and the other two chiefs of the suspicion of signing the Confederate treaty which Pike engineered.

Dunn then announced that the Creeks would like to make a treaty with the United States, but that some of the provisions of an 1863 unratified treaty which they were attempting to modify were not acceptable to them. Parker requested that Dunn confer with his delegation and submit in writing such changes as they wished to make and directed Sells and Wistar to meet with Dunn the next morning.⁸

It should be noted that the Creeks were considering two treaties; one was a simple treaty of peace and amity and the other was of more substance. While the first "classed them with the

⁸ "Official Report of the proceedings of the council with the Indians of the west, and southwest, held at Fort Smith, Arkansas, in September, 1865," United States Department of the Interior, *Annual Report of the Commissioner of Indian Affairs for 1865*, pp. 319 and 327-330.

guilty" and held little interest for them, the second was the means by which they hoped to restore their annuities and regain a clear title to their lands. The latter was the one which Dunn and his delegation sought to conclude quickly by modifying the unratified treaty of 1863.

But apparently the alterations which the Creeks desired were not acceptable to the commission, or at least they were such that the commissioners could not all agree to them on September 13. The first order of business on the fifth day of the council was the offering of the treaty of peace and amity for signatures. After a reading of it by Cooley, he decided to have copies made for the individuals to consider. He then stated that the commission wanted it "signed by *all* the loyal Indians present; and if signed at all, it must be at the opening of the session tomorrow." Following this peremptory remark and a discourse by the Seminoles, the session ended with a request by the commissioners to have the agents meet with them in private. Almost as an afterthought the Creeks were told the commissioners were considering the treaty with them, and would answer at 5:00 that afternoon "if they could agree upon it." It was becoming apparent that the commission was anxious to obtain signatures to the peace agreement. They were either going to accede to the claim that the tribal delegates were not empowered to negotiate the "proper" treaties or they decided that they could follow Harlan's instructions in more detail if the final negotiations were conducted at another time and place.

Cooley pressed the Creeks to sign the treaty of peace despite their protest, and expressed surprise "to know that any nation or tribe which assumes to be loyal should object to the signing of the treaty, inasmuch as there is nothing in it to which any truly loyal person may take exception." The insinuation that the Creeks had not been truly loyal or might have only assumed to be loyal must have stirred resentment among those proud men who had fought three vicious rearguard actions against their Confederate attackers, after the Federal forces had abandoned the area, and who had then fought on the Union side in a score of engagements. This challenge to their loyalty was irony with a razor edge. They signed Cooley's peace agreement on September 14.

There was little more for the Creeks to do except wait for the arrival of the Confederate Creek delegates. Cooley had announced on the previous day that the commission was anxious for the loyal elements to remain at the council and meet their "brothers who admit their disloyalty, and will arrive from Armstrong Academy on or about Friday." On Saturday when the Southern delegations attempted to present themselves to the commission the crowded council room had to be partially cleared to admit them. The commission lost little time in reading the peace agree-

ment, already signed by the loyal delegates, to the recent enemies of the Federal Union. As the turn came for the Confederate Creeks to react, Daniel Newman McIntosh, their spokesman and a prominent leader among the Southern Creeks, asked for more time to consider its terms. He was undoubtedly pleased when the commission became entangled in Cherokee problems and decided to adjourn until Monday to hear the remainder of the discussion before calling for signatures on the treaty.⁹

The interim between the Saturday and Monday sessions afforded an opportunity for the two Creek factions to test the chances of a reconciliation. They were able to meet peacefully. This event at least opened the door to discussion of intratribal troubles and seemed to assure an end of open warfare or permanent division of the tribe. In Monday's session, the Southern Creeks quickly signed the treaty proffered by the commission and Dunn announced the Sunday reapprochement proudly, concluding with a prediction that the two factions would "be able to arrange all their difficulties on reaching home."¹⁰

Serious problems impeded the arrangement of all their differences and those which commanded attention from both parties arose over the second and more substantive treaty ("a proper treaty," to quote Parker) which the commissioners wished to conclude with the ostensibly reunited Creek Nation. Specific points of contention become more easily discernable after consideration of the event which followed Dunn's optimistic announcement on Monday, September 18. Assistant commission secretary, John Biddle Garrett read the following letter which had been written by Sands on behalf of his delegates on September 15, that is, before the arrival of the Southern party:¹¹

To the honorable commissioners now in session:

We, the delegates of the Creek nation to this council, have had many talks with you while in attendance on sessions with us, and know the policy of the government towards us, the loyal Creeks. We are willing to provide for the ceding of a portion of lands at a fair price. We are willing to provide for the abolishing of slavery and settlement of the blacks who were among us at the breaking out of the rebellion, as slaves or otherwise, as citizens entitled to all the rights and privileges that we are. We are willing to expend a portion of our annuities for agricultural implements and for education, etc. As to a territorial form of government, we have to say that we know but

⁹ *Ibid.*, pp. 330-334 and 338-341.

¹⁰ *Ibid.*, p. 341 Abel, *The American Indian under Reconstruction*, pp. 197-211.

¹¹ Sands to the Commissioners, September 15, 1865, "Official Report of the proceedings of the council with the Indians of the west, and southwest, held at Fort Smith, Arkansas, in September, 1865," United States Department of the Interior, *Annual Report of the Commissioner of Indian Affairs for 1865*, p. 341.

little, but prefer our tribal condition. We cannot enter into treaties at the present time for sale of lands, from the fact that we were not authorized to do so before leaving our homes. We have no doubt but, when properly authorized by our people, we can and will conclude a treaty on the foregoing subjects satisfactory to the United States government and to ourselves.

Sands' letter included no qualifying clauses regarding specific prior approval of the Southern Creeks. Only indirectly were they included. That is, if they became a part of "our people" which must authorize their leaders to negotiate on the treaty problems, then it may be so construed as to not exclude them. It should also be noted that Creek citizenship was explicitly limited to "the blacks who were among us at the breaking out of the rebellion, as slaves or otherwise." Such a conditional acceptance was far from the Cooley proposal which limited white residency and left the way open for an influx of blacks as well as relocated Indians. Regarding territorial government, it is significant to note their skepticism and that they preferred not to change their tribal organization.

The position of the Southern party on the Harlan and Cooley proposals was quite different on some points. For example, they agreed to emancipation but balked at granting tribal rights of citizenship and equality. Furthermore, they wanted to be paid for the loss of their slaves. They were willing to cede a part of their land for freedmen and beyond that they were unwilling to go. The proposal for a territorial form of government found no favor with them and, despite their delicate position as defeated secessionists, they hoped they would soon be able to dominate in tribal councils. The old statesman, Opothleyahola, who had led the loyal elements into Kansas in 1861, was not a recognized leader with strong patriotic ties to the Union. He was, for the Southern party, an ambitious factionalist who had worked to advance his own aims. By arguing in this manner to the commission, they tried to bring discredit upon Opothleyahola's surviving faction and its present chief, Sands. Their object was to establish their claim as the rightful leaders of the Creek people.¹²

The Fort Smith council was nearing its conclusion and both Creek delegations were ready to go home. Dunn obtained official permission for them to do so in the morning session of September 18. Cooley adjourned the council and commission three days later and the unfinished business of making treaties with the various tribes was to be resumed in Washington at the call of Secretary of the Interior Harlan.¹³

¹² Abel, *The American Indian under Reconstruction*, pp. 210-211.

¹³ "Official Report of proceedings of the council with the Indians of the west, and southwest, held at Fort Smith, Arkansas, in September, 1865," United States Department of the Interior, *Annual Report of the Commissioner of Indian Affairs for 1865*, pp. 344 and 353.

The Creek treaty was by this time rather well defined. Few doubts existed as to what the Federal government expected of the Creek people. The open questions seemed to be those which dealt with the amount of land they would have to give up, their control over the immigration of freedmen, the extent of the reduction of tribal governing powers, and the question of how long it would be before the benefits of the previous treaties would be restored.

The leaders of the two factions and other representatives met in the first week in November to try for greater intratribal accord. Sands was recognized as the principal chief when Samuel Checote of the Southern Creeks relinquished his claim to that office. The Southern Creeks, who had taken refuge near the Red River, were invited to return to Creek land and to their former homes if they so desired. But such harmony did not prevail in selecting delegates to Washington.

Sands and two lesser chiefs, all of loyal sentiment, were appointed in December to conclude the negotiations in Washington. Their party, with Harry Island as interpreter, arrived in the nation's capital city on January 7. This no doubt surprised and pleased Cooley, for the anxious Commissioner of Indian Affairs had on the previous day sent the following telegram to Sells at Lawrence, Kansas: "Have Agent Dunn come with Creek Delegation. Notify him immediately." If Cooley and Harlan were pleased to have this delegation in Washington, there was one party who was not. The Southern Creeks, under the leadership of Checote, decided to send two of their own as delegates to assist in the finer points of treaty-making and in safeguarding Southern interests. Daniel N. McIntosh, who had served as spokesman at Fort Smith, and James M. C. Smith, whose political and military career was similar to that of McIntosh, were chosen to serve in the delicate position of uninvited delegates.¹⁴

After their arrival in the last week in February, they were able to secure a limited number of changes in a treaty which the recognized delegates had already approved. As a result of their argument, a payment of \$775,000 to compensate the loyal faction for their war losses was reduced to an indeterminate lesser amount, depending on the sum expended in settling individual claims. This was to benefit the Southern faction in that funds for the war losses were to be derived from the sale of ceded Creek lands; thus all revenue not spent for this purpose should accrue to the benefit of all the tribe. The only way this alteration could cost the Federal government would have been in interest payments

¹⁴ Debo, *The Road to Disappearance*, pp. 169 and 171; Cooley to Sells, January 6, 1866, Office of Indian Affairs, "Letters Sent," p. 99, Microfilm Roll No. 79, Library, Oklahoma Historical Society, Oklahoma City; Abel, *The American Indian under Reconstruction*, pp. 306 and 308.

if the treaty stipulated that undistributed revenue from land sales should be retained by the United States Treasurer with the annual interest paid to the Creek Nation. There seems to be little or no evidence that McIntosh and Smith were able to obtain any other changes.¹⁵

The commissioners, Cooley, Sells, and Parker, signed the treaty on June 14, 1866, and the official Creek delegation, headed by Sands, made their marks next. McIntosh and Smith, designated "Special delegates of the Southern Creeks," affixed their signatures followed by fifteen witnesses. The Senate ratified it in executive session on July 26 and the Creek treaty officially became Federal law on August 10.¹⁶

Looking at the terms of the treaty from the commissioners' point of view, it fell short of the instructions which they had received from Harlan. A general council or intertribal council was as close as they could come to obtaining a territorial form of government. The Creek tribal government retained control of black immigration within the new boundaries, except that those who had lived among the Creeks and fled during the war were to be allowed to return within the year to claim their tribal rights and citizenship. There was no explicit prohibition of black settlement upon the ceded lands, and in this instance the commission was able to obtain the end which Harlan's instructions implied.¹⁷

An overview of what the commissioners gained by their efforts for the United States is impressive. Peaceful relations within the Creek Nation and with it were reestablished and the tribal government accepted a share of the responsibility for keeping the peace. By gaining a land cession of more than 3,000,000 acres, they provided for resettlement or relocation of tribes from Kansas and elsewhere. This also opened an area for possible settlement of former slaves. The commissioners had secured emancipation and, previous to the Fourteenth and Fifteenth Amendments, gained tribal citizenship and rights for Creek freedmen. The Creek land could now be crossed by a north and south and/or an east and west railroad. Two liabilities of the Federal government were funded by sale of Creek land, that is, loyal Creek war loss claims and Creek Union soldiers' backpay were to be settled with revenue obtained from the sale of the ceded land. All this was quite

¹⁵ *Ibid.*, pp. 338-343; Debo, *The Road to Disappearance*, pp. 171-174; Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People* (4 vols., New York: Lewis Historical Publishing Company, Inc., 1929), Vol. I, pp. 392-394.

¹⁶ Charles J. Kappler, comp. and ed., *Indian Affairs: Laws and Treaties* (3 vols., Washington: Government Printing Office, 1904-1913), Vol. II, pp. 331-337.

¹⁷ *Ibid.*, pp. 934-936 (Article 10), and p. 932 (Article 2).

a bargain unless the other party to the treaty gained concessions of similar value.¹⁸

On the other side of the ledger, the Creeks were granted a general amnesty which amounted to nothing to the loyal faction but was of great value to the Southern party. The Creeks regained a fairly high degree of home rule despite the fact that the Southern faction had jeopardized their tribal existence. The annuities from previous treaties were restored and additional benefits were to accrue from the cession of the western half of their antebellum domain. The concession they made regarding a railroad right-of-way, or perhaps two, may have been considered a gain by some and a loss by others.

The less spectacular provisions of the treaty bear unusual significance. For example, the article which describes the council and governmental changes concludes with an apparently insignificant section granting Congress the right to establish a court or courts with such jurisdiction as Congress may enact. Such courts posed a threat much less obvious than the railroad, but which could be a serious intrusion on Creek society. They could provide an avenue by which non-citizens could escape Creek tribal authority and justice.¹⁹

Restoration of peace was not the overriding concern of the President's Peace Commission so far as its negotiations with the Creek Indians in 1865 and 1866 would indicate. The commission, acting under Secretary Harlan's instructions, seems to have sought a great deal more than peace, for a peace agreement formally incorporated into the Creek Treaty of 1866 was merely a tool used to class the loyal with the guilty and to bring the divided and distressed Creek Nation under firmer Federal control.

With this renewed grip, Creek land was wrenched from its owners in forced sale so other Indian lands in other areas could be vacated. Ostensibly, this was done to group the Indian tribes into one area and thus save them from the depredations and encroachments of an expanding white population. On the other hand, intrusive and disruptive agencies such as railroads and courts of law foreign to their culture were to be allowed into this sanctuary by the treaty.

As an instrument of reconstruction, the Creek treaty reveals the problem faced by the nation: emancipate the slave, grant him citizenship, and let him use his newfound political voice. Such was the loyal view but not the Southern. The decisions in the treaty on the issue of reconstruction were made before they were made on a national scale. That the national reconstruction policy decisions of a few years later were influenced by the Creek Treaty seems improbable and unlikely, but the course had been charted.

¹⁸ *Ibid.*, pp. 932-934 (Articles 1, 3, 2, 5, 3, 4, respectively).

¹⁹ *Ibid.*, p. 936 (Article 10).

CLASSIFICATION OF OKLAHOMA INDIAN TRIBES: LANGUAGE STOCKS, POPULATION, AND LOCATIONS

By Lonnie E. Underhill and John H. Battle*

"American Indian" is a loosely constructed term attached to ethnic groups ranging north from Alaska, south to Florida, east from New York, and west to California. The government does not have a general legislative definition of an Indian that can identify a person as an Indian (the term "administrative" or "official" often designates those eligible for federal assistance). For census purposes, an Indian has been identified on a self-declaration basis. If an individual did not declare his race, the enumerator has counted him as an Indian if he appeared to be a full-blooded American Indian or—if of mixed Indian and white blood—was regarded as an Indian in the community in which he lived.¹

Fairly accurate census counts are available through the Bureau of Indian Affairs offices where Indians appear on tribal and agency rolls.² The Bureau of Indian Affairs sets the number of persons of one-quarter or more Indian blood in the United States at 452,000.³ A total of 65 tribes moved to the Indian Territory, present Oklahoma, as a result of a series of treaties with the federal government from 1830 through the 1870's. Currently, 72,400 Indians live in Oklahoma, representing 48 distinguishable tribes. This places Oklahoma third in the United States in total number of Indians.⁴

The languages these tribes speak constitute varieties which

* Lonnie E. Underhill is an instructor of English and is working on an advanced degree in English at Oklahoma State University. John H. Battle is a visiting Professor of Linguistics at Oklahoma State University and holds a Ph.D. from the University of Texas at Austin, Texas. The authors wish to thank Mrs. Tammy Gann for her assistance in preparing the manuscript.

¹ United States Department of the Interior, Bureau of Indian Affairs, *Answers to your Questions About American Indians* (Washington, D. C.: Government Printing Office, May, 1968), p. 2, hereafter cited as *Answers*.

² Bureau of Indian Affairs offices release reports periodically concerning up-to-date census counts among tribes which are currently living on or adjacent to federal reservations. Tribes which have terminated land units no longer have accurate tribal rolls. United States Department of the Interior, Bureau of Indian Affairs, *United States Indian Population (1962) and Land (1963)* (Washington, D. C.: Government Printing Office, November, 1963), pp. 1-4, 24-26 and United States Department of the Interior, Bureau of Indian Affairs, *Estimates of the Indian Population Served by the Bureau of Indian Affairs: September 1968* (Washington, D. C.: Government Printing Office, March, 1969), hereafter cited as *Estimates*.

³ *Estimates*

⁴ *Estimates*

are more diverse than those of the entire continent of Europe.⁵ The number of *distinct languages* spoken by Indians in the United States is difficult to determine for lack of exact distinction between language⁶ and dialect.⁷ The number of existing languages was set at 147 in 1941. In the last 25 years that number has reduced due to the extinction of some tribes. On the basis of common Indian words or languages, there are eight major Indian linguistic groups. These are the Algonquian, Iroquoian, Caddoan, Muskogean, Siouan, Penutian, Athapascan, and Uto-Aztecan. Within each of these linguistic groups, distinct social and cultural similarities are typical.⁸ There are no exact figures on the speakers of the various Indian languages. Reliable information on the proportion of monolinguals, bilinguals, or non-speakers of an Indian language is also in demand. A shift in language is apparently taking place in communities where Indian languages are becoming less frequently used, either through generational differences in language use or language fluency by disuse. An intensive effort to conserve these languages seems necessary if they are to be saved from extinction.⁹

⁵ Tribes among North American Indians originally meant a body of persons bound together by blood ties who were socially, politically, and religiously organized. These persons lived together, occupying a definite territory, and spoke a common language or dialect. With the placing of Indians on reservations, the word "tribe" developed a number of different meanings. Today it can be a distinct group within an Indian village, or community, the entire community, a large number of communities, several different groups or villages speaking different languages but sharing a common government, or a widely scattered number of villages with a common language but no common government. The Bureau of Indian Affairs counts 263 Indian tribes, bands, villages, pueblos, and groups in states other than Alaska as being eligible for federal help. *Answers*, p. 3.

⁶ The dictionary definition for "language" is "the words, their pronunciation, and the methods of combining them used and understood by a considerable community." In 1492, there were about 300 different languages spoken by Indians in what is now the United States. Generally, the speakers of one such language could not understand the others. Approximately 50 to 100 languages exist today. *Answers*.

⁷ The dictionary definition for "dialect" is "a regional variety of language distinguished by features of vocabulary, grammar, and pronunciation from other regional varieties and constituting together with them a single language."

⁸ Sirarpi Ohannessian lists the following 13 language families: Eskimo, Athabaskan, Salish, Penutian, Hokan, Uto-Aztecan, Kiowa-Tanoan, Keresan, Siauan, Caddoan, Muskogian, Iroquoian, and Algonkian. Sirarpi Ohannessian (ed.), *The Study of the Problems of Teaching English to American Indians* (Washington, D.C.: Center For Applied Linguistics, July, 1967), p. 10.

⁹ William E. Bittle, "Plans for a Linguistic Survey of Oklahoma," *The Chronicles of Oklahoma*, XXXI, No. 2 (Summer, 1953), pp. 214-217.

Attitudes Indians take toward language and language learning are important. Some tribes believe that the Indian child knows his language at birth and does not require tutoring;¹⁰ other tribes believe that linguistics must be acquired through exposure and usage. Many Indians believe that there is a distinct relationship between race and language and that Indian blood is a prerequisite for learning an Indian language. By the implication that race, language, and blood are inter-related, some Indians could have difficulty in learning English as well. Also, on the other hand, this problem can reverse for the English speaking Indian desiring to learn his native Indian language.

Today many Indian children start to school knowing English, a generalization not made a few decades ago. If the trend continues in this direction, soon very few Indian children will have any exposure at all to their native languages. Indian language knowledge has a tendency to interfere with the Indian student's adjustment and learning processes when he begins the primary grades. English learned by these young Indian children through their first-generation, monolingual, English-speaking parents often lacks vocabulary and language background, creating confusion for the child. The highly artificial usage of formal English in the classroom adds to the already established confusion.

Since language associates itself with a cultural and social context and forms a very important aspect of language acquisition, the Indian deserves an opportunity to learn his native language. The common usage of English in almost all transactions does not promote an ideal cultural setting for Indian language learning. Some Indians have learned their native languages regardless of the environment and have fought the resistance of assimilation to the American culture brought by the white man into the Indian cultures.

Both acceptance and rejection of assimilation exist today. This varies with the attitudes of the individuals and groups involved. The size of the group, its proximity to the communities of non-Indian culture, and their blood mixtures are other factors which affect their assimilation. Some Indians seem to be actively striving for assimilation and do not regard the culture of the majority as one imposed on them. Other Indians actively or passively reject it. Nevertheless, the number of those Indians who can speak, read, or write their native Indian languages is declining at a rapid rate.

Besides those given above, other definitions of "Indian" are

¹⁰ Ohannessian lists the Mojave as an example.

possible—for example, the Census Bureau employs a cultural definition, counting persons who report themselves as Indian (or who are so regarded by the community) regardless of tribe or residence. Different definitions lead to different statistics, so there is no one answer to the question, “How many Indians are there?” However, the following table provides population estimates of Indians resident on, or adjacent to, federal reservations in Oklahoma. Since data can only be estimated at best, the figures which represent the most accuracy relate to “administrative” or “official” Indians, who are eligible for services from the Bureau of Indian Affairs. Generally, these Indians are members of tribes with federal trust lands, who have one-quarter or more Indian blood, and who live on a federal reservation, a former reservation, or adjacent lands.

LANGUAGE STOCKS, POPULATION, AND LOCATIONS

LINGUISTIC GROUP	TRIBES REPRESENTED BY LINGUISTIC GROUP	LANGUAGE OR DIALECT SPOKEN	ESTIMATED NUMBER OF NATIVE SPEAKERS	POPULATION (1) OF TRIBE			LOCATION OF TRIBE
				TOTAL	W	A	
Algonquian	Arapaho	Arapaho	4270	6100= Cheyenne counted together	4070	2030	Canton, Greenfield, Geary, Blaine Co.; Colony, Washita Co.
	Cheyenne	Cheyenne	4270	6100=	4070	2030	Thomas, Clinton, Weatherford, Custer Co.; Hammon, Roger Mills Co.; El Reno, Concho, Canadian Co.; Kingfisher, Kingfisher Co.; Watonga, Canton, Blaine Co.; Selling, Dewey Co.
	Delaware	Delaware	50	1250+			Bartlesville, Dewey, Copan, Washington Co.; Continued:

(1) Population estimates appearing with no symbol come from U.S. Indian Population (1962) and Land 1963.
Population estimates appearing with symbols come from the following sources:
(-) Estimates of the Indian Population Served by the Bureau of Indian Affairs: September 1968.
(+) The Indians of North America.
(=) Population and Per Cent Native Language Estimates.
(*) A Guide to the Indian Tribes of Oklahoma.

(w) Population living within land units allotted to tribal members.
(A) Population living within adjacent land units or on non-trust lands within reservation areas.

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(*) A Guide to the Indian Tribes of Oklahoma.

(W) Population living within land units allotted to tribal members.

(A) Population living within adjacent land units or on non-trust lands within reservation areas.

GROUP	TRIBE	LANG/DIALECT	SPEAKERS	TOTAL	W	A	LOCATIONS
	Delaware (Absentee)	Unami	50	500=	200	300	Continued: Wann, Alluwe, Nowata Co.; Delaware Co.; Craig Co.
	Kikapoo	Kikapoo	880	1100=	520	580	Caddo Co. McCloud, Pottawatomie Co.
	Miami	Miami	0	299	195	104	Counted Among Peoria in Ottawa Co.
	Munsee	Munsee (Dialect of Delaware)	0	100*			Washington Co.; Nowata Co.
	Ottawa	Ottawa	0	480+			Ottawa Co.
	Peoria		0	439+			Ottawa Co.
	Potawatomi (Citizen)	Potawatomi	104	10400=	1360	9040	Shawnee, Maud, Tecumseh, Wanette, Pottawatomie Co.
	Sac & Fox	Sauk	294	1960=	600	1360	North Community Stroud, Lincoln Co.; South Community Pottawatomie Co. near Shawnee

GROUP	TRIBE	LANG/DIALECT	SPEAKERS	TOTAL	W	A	LOCATIONS
Absentee Algonquian	Wea			100*			Counted among Peoria tribe in Ottawa Co.
	Shawnee (Absentee)	Shawnee	338	1550=	750	800	Shawnee, Pottawatomie Co.; Norman, Cleveland Co.
	Shawnee (Cherokee)			1100+			White Oak, Craig Co.
Athapaskan	Shawnee (Eastern)			299	200	99	Ottawa Co.; Craig Co.; Rogers Co.
	Apache (Fort Sill)	Apache	30	150=	60	90	Apache, Caddo Co.
	Kiowa-Apache	Kiowa-Apache	400	1000=	500	500	Ft. Cobb, Apache, Caddo Co.
	Lipan	Apache	0	30*			Counted among Kiowa-Apache & some live among Tonkawa in Kay Co.
Caddoan	Anadarko	Caddo	5	449*			Counted among Caddo tribe in Caddo Co.
	Caddo	Caddo	176	1760=	500	1260	Binger, Caddo Co.
	Hainai		5	100*			Counted among Wichita tribe in Ottawa Co.

GROUP	TRIBE	LANG/DIALECT	SPEAKERS	TOTAL	W	A	LOCATIONS
Iroquoian	Kichai	Pawnee		190*			Gracemont, Anadarko, Caddo Co.
	Pawnee	Skidi & South Band	412	2080=	990	1090	Pawnee, Skedee, Iela, Meramec, Pawnee Co.; Yale, Payne Co.
	Tawakoni	Wichita		190*			Counted among Wichita in Caddo Co.
	Waco	Wichita		60*			Counted among Wichita in Caddo Co.
	Wichita	Wichita	87	580=	200	380	Gracemong, Caddo Co.
	Cayuga	Cayuga	12	732	448	244	Counted among Seneca tribe in Ottawa Co.
	Cherokee	Western Dialect		9600-			Adair Co.; Cherokee Co.; Delaware Co.
Kiowan	Seneca	Cayuga		732	488	244	Ottawa Co.
	Wyandot		0	850*			Wyandotte, Ottawa Co.
	Kiowa	Kiowa	2500	6250=	3130	3120	Carnegie, Caddo Co.

GROUP	TRIBE	LANG/DIALECT	SPEAKERS	TOTAL	W	A	LOCATIONS
Lutuamian	Modoc	Klamath	0	40+			Counted among Eastern Shawnee in Ottawa Co.
	Alabama	Alabama	0	175*			Weleetka, Okfuskee Co.; Hughes Co.
Muskogean	Apalachicola	Hitchiti	0	171*			Okmulgee, Okmulgee Co.
	Chickasaw	Chickasaw		5250-			Pontotoc Co.; Johnston Co.; Love Co.
	Choctaw	Choctaw		9900-			McCurtain Co.; Pittsburg Co.; LeFlore Co.; Pushmataha Co.; Choctaw Co.
	Creek	Muskogee	2000	12600-			Eufaula, Checotah, McIntosh Co.; Weleetka, Okemah, Hughes Co.; Okmulgee Co.
	Hitchiti	Hitchiti					Hitchiti, McIntosh Co.
	Koasati	Near Alabama		150*			Weleetka, Okfuskee Co.; Hughes Co.

GROUP	TRIBE	LANG/DIALECT	SPEAKERS	TOTAL	W	A	LOCATIONS
Shoshonean	Natchez	Natchez	0				Ft. Gibson, Braggs, Muskogee Co.
	Seminole	Muskogee or Mikasuki		7000-			Seminole Co.
	Comanche	Comanche	2500	6250=	3130	3120	Anadarko, Ft. Cobb, Carnegie, Apache, Caddo Co.; Mt. View, Gotebo, Hobart, Kiowa Co.; Lawton, Cache, Indianhoma, Commanche Co.; Walters, Cotton Co.
Siouan	Catawba						Counted among Indian pop. in LeFlore Co.
	Iowa	Chiwere	38	250=	70	180	Perkins, Payne Co.
	Kansa/Kaw	Thegiha	38	250=	130	120	Kay Co.
	Osage	Thegiha		3250			Osage Co.
	Otoe & Missouri	Chiwere	207	1380=	960	320	Red Rock, Noble Co.

GROUP	TRIBE	LANG/DIALECT	SPEAKERS	TOTAL	W	A	LOCATIONS
Tonkawan Uchean	Ponca	Thegiha	192	1910=	1560	350	Ponca City, Kay Co.; White Eagle, Noble Co.
	Quapaw	Thegiha	5	1144	805	339	Ottawa Co.
	Tonkawa	Tonkawa	14	90=	40	50	Tonkawa, Kay Co.
	Yuchi	Yuchi					Southeast of Sapulpa, Mounds, Creek Co.; Okmulgee Co.

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THE CENTENNIAL CELEBRATION OF OKLAHOMA PRINTING AND PUBLISHING

*By Robert L. Clark**

Have you ever thought of Oklahoma as being old enough to celebrate a centennial? On October 6, 1935, Oklahomans celebrated the centennial of Oklahoma printing and publishing. It was observed without the laying down of costly buildings or the expending of vast sums in fanfare. The occurrence was a successful affair that rested upon the sincerity of purpose with which Oklahomans took stock of one hundred years of accomplishment inaugurated by the printed word.

Booksellers, librarians, and publishers were in a position to recognize the significance of printing in Oklahoma. They acknowledged that educational and economic growth was due, in part, to the dissemination of the printed word. This group had an opportunity to form a mere idea into a cultural event of the greatest importance. In the eyes of the intelligent populace, they fashioned an awkward conception of a "pioneer state" into a realization that Oklahoma's commonwealth was as rich and old as many other states in the Union. But too many people were uninterested, complacent, and ignorant about their culture, past and present.

This ignorance concerned the distributors of culture. This lack of knowledge gave impetus to the cause of the celebration and prompted an English professor to comment: "It is always hard to realize that there were white men in Oklahoma 100 years before Plymouth Rock. Or that old school American ladies and gentlemen celebrated New Year's Day in Oklahoma while Andrew Jackson was President. Or that an elaborate system of republican government had been worked out in Oklahoma long before the Civil War."¹

The Centennial Celebration of Oklahoma Printing and Publishing centered on a New England missionary to the Cherokees, the Reverend Samuel Austin Worcester. The "Cherokee Messenger," the name given to Worcester by the Cherokees, set up the first printing press in 1835, at Union Mission, on the west banks of the Grand River. (Union Mission is located south of Pryor in Mayes County.) The United Foreign Mission Society of New York established the mission in 1828.

The Cherokees, a literate people thanks to Sequoyah, were

* Robert L. Clark, Jr., is Archivist, Oklahoma Department of Libraries.

¹ Kenneth C. Kaufman, "Here is Oklahoma's Literature Harvest for the Year 1935," *Daily Oklahoman*, December 29, 1935.



THE REVEREND SAMUEL AUSTIN WORCESTER

Dr. Worcester, known as the "Cherokee Messenger" among the Cherokees, set up the Union Mission Press in 1835.

ambitious to learn. Appreciating this, the Society sent Worcester along the Trail of Tears into Indian Territory. He brought with him a Washington Hand Press. As the boat crossed the Arkansas River near Fort Gibson it sank. The press was retrieved, but all Worcester's manuscripts were lost. Still the missionary managed to print the first "book" on August 22, 1835, in what is now Oklahoma. The title was "I Stutsi in Natsoku" or "The Child's Book." Only one copy, held by the Library of Congress, is known to exist.² That eight page broadside marked the beginning of Oklahoma's social and cultural growth. In a sense, it is the State's most significant historical document.³

Almanacs in the Cherokee and Choctaw languages, several editions of hymnals, and books of the New Testament followed. Through the devotion of Worcester and his translator, Elias Boudinott, the press issued more than thirteen million printed pages.

In 1863, Stand Watie's men destroyed the press during a raid on Park Hill, where the press had been moved in 1838. The cultural attainment of the Fourth Estate and the loyalty of its missionaries were in no part forgotten nor halted with the destruction of the press. The Cherokees had become the publishers of the state's first newspaper, *The Cherokee Advocate* in 1844.⁴ The Baptist Mission Press had printed *The Cherokee Messenger*, near present Westrill in the same year.

Publishing firms grew rapidly during the first quarter of the twentieth century. Such newspaper firms as the International Printing Company (1875) and the Phoenix Printing Company (1888) laid the foundation. The University of Oklahoma issued its first imprints in 1907, produced by a small printing plant. These were mainly research bulletins.

In 1928, the University's president, William Bennett Bizzell, called Joseph A. Brandt, a Tulsa newspaper man, to Norman to head the newly organized University of Oklahoma Press. Not long after, the first imprint rolled off the presses. It was *Folk-Say: A Regional Miscellany*, edited by B. A. Botkin. Since that time, the University of Oklahoma Press has produced mainly regional works with a concentration on Oklahoma, but does publish works of general scholarship. Books relating to Western Americana head the long list of titles.

² "The Oklahoma Centennial of Printing and Publishing," leaflet from the University of Oklahoma Press, July 27, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 16.

³ *Ibid.*

⁴ Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and its People*, Vol I, p. 211 (New York, 1929).

The Harlow Publishing Company, Inc., another active publisher during this period, published many biographies of Oklahomans, texts, and instructional material. Several other state publishing firms had as their aim publishing books by Oklahoma writers for distribution in the Southwest. These included the Economy Publishing Company and the Times-Journal Publishing Company, of Oklahoma City. The Coronado Press of Bristow, a strictly regional press, published only books of poetry by Oklahoma authors.⁵

By 1939, publishing, well on its way to becoming a major state business, boasted an estimated value of output of \$10,074,878.⁶ Oklahoma authors brought into the state an estimated \$100,000 a year by 1941.⁷

A look at the number of books by Oklahoma authors, about Oklahoma, will give an indication of the pride involved in the Centennial. The Oklahoma Library Commission held in its Oklahoma Collection some 280 such books. In a bibliography prepared as a purchasing guide for an Oklahoma history collection, some 350 such books were listed. The University of Oklahoma Press published many of these works. The growth of regional awareness, furthered by the booksellers, publishers, and librarians, created an element of pride in the cultural advancement of Oklahoma.⁸

The publishing apparatus, specializing in the region, cannot help develop the regional concept without the aid of native writers who write about the region. Between 1929 and 1935, Oklahoma experienced a literary apex that received world wide attention. Oklahoma writers made the front page of the *New York Times* book review section, and filled whole pages in the *Saturday Review of Literature*. French, German, and Spanish magazines translated *Books Abroad*, edited by Kenneth Kaufman and Roy Temple House, and published by the University of Oklahoma Press. Oklahoma authors were successful in bringing about a recognition of the cultural products of the state.

Dr. B. A. Botkin, the editor of *Folk-Say*, contributed to the regionalistic concept of the Southwest. He felt regionalism is an

⁵ Lucille Huntington, "Oklahoma Publishers, An Historical Sketch," Oklahoma Department of Libraries, Division of Archives, Oklahoma Library Association Archives, Box 3, (Typewritten.)

⁶ "Printing is Big Business," *Daily Oklahoman*, April 23, 1939.

⁷ Kenneth C. Kaufman, "Did You Ever Think of Writing as a Major State Industry?" *Daily Oklahoman*, March 9, 1941, sect. 4-d, p. 1.

⁸ Dee Paradis Jackson, "Books about Oklahoma, Indians, and Frontier Life in the Oklahoma Library Commission," Oklahoma City, 1935. (Mimeographed.)

inclusive term for a variety of movements that relate the artist to his region. *Folk-Say*, recognized by the nation as a unique collection that preserved outstanding specimens of folk literature in the process of evolution,⁹ was better known on the banks of the Hudson than on the banks of the Canadian.¹⁰

Paul B. Sears, another author of which Oklahoma was proud, received the Guggenheim Award and The Book of the Month Club alternate selection for his *Deserts on the March*. Sitting in his office at the University of Oklahoma in 1934, Sears had an opportunity to experience the winds which brought the desert east and turned a grassy prairie into a dirty inferno. Sears concerned himself with the scientific management of grass, and produced *Deserts*, a book on conservation suitable for the scientist or layman.

Also in 1934, Angie Debo, a native Oklahoman, received the John H. Dunning Prize awarded biennially by the American Historical Association for the best book submitted in any field of American history. Her book, *The Rise and Fall of the Choctaw Republic*, pointed out the value that the Choctaws placed on education.

John Joseph Mathews, author of *Wah'Kon-Tah*, based his work on the diary of Major Miles, an agent to the Osage. Mathews, himself part Osage, received the Book of the Month Club selection for November, 1932. The work was published by the University of Oklahoma Press. A surge of pride must have been felt in the "pioneer state."

The Indian culture, Oklahoma publishers, and the recently distinguished Oklahoma writers, created the atmosphere for The Centennial Celebration of Oklahoma Printing and Publishing. Joseph A. Brandt promoted the idea of the celebration. The idea first struck Brandt in a conversation with Grant Foreman, Muskogee lawyer and historian, at the University of Oklahoma Press office in 1934. Foreman and his wife Carolyn were on hand to discuss the publication of Carolyn's forthcoming book, *Oklahoma Imprints*. Mrs. Foreman had been working on the book for the last six years.

"You know," Brandt said, "we should observe the centennial of printing in Oklahoma. The printing of the first book in Oklahoma was certainly the most important factor in the making of

⁹ B. A. Botkin, "We Talk about Regionalism—North, South, East, and West," reprinted from *The Frontier*, May, 1933, p. 1.

¹⁰ Kenneth C. Kaufman, "Oklahoma Writers," *Daily Oklahoman*, August 4, 1931.

our present state.”¹¹ They discussed at some length what could be done to make the observance a reality. “The century of progress was running its course at Chicago with millions spent in promotion, Texas already was laying elaborate plans for its celebration of statehood, but the University Press was existing on almost an imaginary allowance. Nevertheless, we proceeded with plans and obtained the adherence of various groups in Oklahoma, all of which were enthused.”¹²

Brandt, one whose living depended upon the sale of books, also realized the book sales index for Oklahoma in 1935 was the next to the lowest in the entire United States, surpassed by that of Mississippi. The potential book sale index for Oklahoma was .67 while actual sales were .23. Mississippi’s index, .15, had a potential sale of .38.¹³ Brandt attributed much of this to the failure of our school system and the “diluting influences of modern living.”¹⁴

An element of state pride, a desire to make Oklahomans aware of their commonwealth, and obvious financial benefits contributed the momentum for the celebration. Worcester’s primitive but enthralling machine offered an excellent occasion to celebrate cultural advancement.

On August 22, 1934, exactly ninety-nine years from the date of the first printing, Brandt wrote President Bizzell. Brandt indicated that, although Oklahoma was only twenty-seven years old, it was ready to celebrate a centennial. He explained that Oklahoma had passed through the vestige of “pioneer pains” and was ready for credit and pride. This created the first step in a sequence of plans for Oklahoma’s first centennial celebration, a celebration that would do “. . . as much as anything to restore a wounded state pride to a consciousness of real dignity.”¹⁵

Brandt felt that August 22, 1835, signified the most important date in the state’s history. As plans progressed, his sole interest became that of making absolutely sure the state did not overlook it. He saw the celebration as an opportunity to present Ok-

¹¹ Joseph A. Brandt, “One Hundred Years of Printing in Oklahoma,” University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 16, (Typewritten.)

¹² *Ibid.*

¹³ Joseph A. Brandt, “A Publisher Looks at the Library,” (speech given at the 27th annual meeting of the Oklahoma Library Association, Frederick, Oklahoma, June 19, 1936), p. 1.

¹⁴ *Ibid.*

¹⁵ Letter, Joseph A. Brandt to William B. Bizzell, August 22, 1934, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 10.

lahoma's true heritage to the people of the nation who "... have been accustomed to think of us as a step removed from barbarism."¹⁶

President Bizzell supported the celebration, realizing the publicity it would reap for the University. He took it upon himself to contact each of the state's college presidents who would in turn ferment support in their own area. In observance of the Centennial, the colleges would hold chapel exercises, exhibit historical and modern Oklahoma books, and hold programs during the week of the event.¹⁷

The first plans included the removal of Sequoyah's body, buried somewhere in Mexico, to the University of Oklahoma campus. A search was made, but to no avail.¹⁸

Savoie Lottinville, the assistant director of the University of Oklahoma Press, attempted to persuade the government to issue a special commemorative stamp. This failed for two reasons. First, commitments had already been made affecting the stamp program for the future. And secondly, the occasion for the stamp would have had to be of national import.¹⁹

Lottinville also endeavored to enlist the support of the State Chamber of Commerce. The organization declined any financial backing. They did offer to publish an article in the September issue of *Oklahoma*, their official magazine, on the history of Oklahoma printing. "It was a large state trade association and less interested in promoting culture than keeping people's heads above water."²⁰

The Oklahoma Press Association (OPA), in contrast to the Chamber of Commerce, agreed to cooperate. Brandt enlisted their full support. N. G. Henthorne, executive editor of the *Tulsa World* and president of the OPA, proposed that newspapers of Oklahoma observe the event.

The OPA cooperated more for their own advantage than for

¹⁶ Letter, Brandt to N. G. Henthorne, February 4, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 10.

¹⁷ Letter, Kate G. Zaneis to William B. Bizzell, August 2, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 16.

¹⁸ Savoie Lottinville, interview held at University of Oklahoma Library, February 22, 1969.

¹⁹ Letter, C. B. Erlenberger to Honorable Josh Lee, August 9, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 16.

²⁰ Savoie Lottinville, interview.

any desire to recognize cultural advancement. The organization coined the phrase "Newspaper Appreciation Week" for the anniversary. In a confidential bulletin issued to the OPA members, the organization said: "You will receive from this office details of how you can capitalize upon this idea to secure additional advertising revenues for that week."²¹ The OPA realized the state's newspapers would benefit financially from the occasion.

The University of Oklahoma Press administered the actual work and planning for the celebration. Brandt named a special committee which in turn named sub-committees to work out details.²² The committee members were carefully chosen for their influence in certain organizations or media. The members were Rev. C. W. Kerr, state ministerial alliances; C. M. Howell, Oklahoma Education Association; Ford C. Harper, State Chamber of Commerce; G. W. Archibald, Oklahoma Press Association; Mary Elizabeth Kitchen, Oklahoma Library Association; Cora Case Porter, Southwestern Library Association; Mrs. T. M. Van Di Vort, Women's Federated Clubs of Oklahoma; T. M. Beard, Oklahoma radio broadcasting stations; W. B. Bizzell, colleges and universities of Oklahoma; Grant Foreman, Oklahoma Historical Society; Joseph A. Brandt, University of Oklahoma Press; Savoie Lottinville, University of Oklahoma Press; F. R. Allsopp, Associated Booksellers of Oklahoma; and Enoch Lusk, Graphic Arts Clubs of Oklahoma.

By August, the Centennial began to shape up into something really significant. Most committee members realized that the people of Oklahoma would have a better understanding of the antiquity and importance of their state when the observance actually took place.²³ The week of October 6 was chosen for the celebration rather than that of August 22 (the date of the first printing) as being more feasible because of vacationing Oklahomans.

The committee members worked hard and succeeded in interesting their groups in the purpose and importance of the occasion. Grant Foreman, representing the Oklahoma Historical Society, introduced a resolution adopted by the Society on July 25, 1935. It bears repeating for it touches on the purpose and reason for the event:

²¹ Oklahoma Press Association, *Confidential Bulletin* No. 15, July 23, 1935.

²² Letter, Joseph A. Brandt to F. R. Allsopp, February 4, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 16.

²³ Letter, Savoie Lottinville to Honorable Josh Lee, August 17, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 16.

Whereas, the printing press is the great civilizing influence and the most potent agency through which progress and culture have been promoted and achieved within the State of Oklahoma; and

Whereas the first printing press within the state began the work of producing books and pamphlets in the summer of 1835; and

Whereas, thoughtful persons appreciative of our progress recognize the significance of this cultural agency and the propriety of observing the one hundredth anniversary of its beginning,

Now therefore, the Directors of the Oklahoma Historical Society in quarterly meeting express the hope that the people of Oklahoma consider and appreciate the tremendous influence of the printing press on the destiny of our state and the welfare of our citizens and join with the Oklahoma Press Association and the University of Oklahoma Press in calling for an appropriate observance of the centenary of an event so vital to our history, and of the illustrious career of the Fourth Estate during the succeeding one hundred years; and we further pledge the Oklahoma Historical Society to cooperate with the Oklahoma Press Association and the University of Oklahoma Press in making the proposed celebration an occasion in keeping with its importance and significance.²⁴

The Oklahoma Library Association (OLA) also realized the significance of the celebration to its profession. It became the most active of all groups represented by the members of the special committee. Miss Cora Case Porter, president of the Southwestern Library Association (SWLA), librarian of the Muskogee Public Library, and a member of the special committee, introduced a plan to erect a granite marker at the site of Union Mission. The OLA approved Miss Porter's plan at a meeting of Oklahoma librarians during the 1935 annual conference of the American Library Association in Denver.²⁵

Miss Porter, as president of the SWLA, planned to make the regional movement in writing and publishing an outstanding objective for the biennium. The erection of the marker marked the beginning of a far-reaching program which she inaugurated to assemble and disseminate information about the regional culture of the Southwest.²⁶

The OLA created the "Union Mission Marker Committee" to raise contributions for the marker. The Motter Book Binding Company of Muskogee donated the largest sum of \$10.00. The total cost of the granite marker came to \$129.70, a portion of which came from the treasury of the OLA.²⁷ A librarian at Okla-

²⁴ "The Oklahoma Centennial of Printing and Publishing," *op. cit.*

²⁵ Oklahoma Library Association, Minutes of the 25th Annual Meeting, meeting of April 24-25, 1935. (Typewritten.)

²⁶ Cora Case Porter, "Oklahoma Librarians to Dedicate Marker at Union Mission," Oklahoma Department of Libraries, Division of Archives, Oklahoma Library Association Archives, Box 3. (Typewritten.)

²⁷ Letter, Cora Case Porter to Mary Kitchen, November 4, 1935, Oklahoma Department of Libraries, Division of Archives, Oklahoma Library Association Archives, Box 3.

homa Agricultural and Mechanical College became very distraught because the library staff did not subscribe more than five dollars. Apologizing, she wrote to Miss Porter, "No one makes less than \$125 per month. The disciples of the Murray regime decided that five was enough."²⁸

The dedication of this group of librarians contrasts sharply with the real reason behind the Oklahoma Press Association's involvement. The librarians deeply felt that libraries are not only fruits, but the roots of culture. Through the dedication and leadership of Cora Porter, they saw the celebration as an opportunity to make Oklahomans aware of libraries as a potent force in regional consciousness.

As the week of the celebration drew near, the work of the special committee and its groups, the publicity realized through the cooperation with the Oklahoma Press Association, and the efforts of Joseph Brandt and Savoie Lottinville created an atmosphere of joy and pride throughout the concerned populace of the state.

Governor Marland officially opened the week with the issuance of a proclamation. On Sunday, October 6, ministers preached sermons relating the religious, educational, and cultural advancement of Oklahoma to the printing done at Union Mission. The state's colleges and universities held their special programs. Civic clubs enjoyed luncheon addresses by concerned speakers. Book shops and libraries in each community displayed historic and modern examples of books by or about Oklahomans. Women's clubs, the forerunner of most Oklahoma libraries, held special meetings. Radio broadcasting stations carried announcements and programs outlined by their own celebration committee.²⁹

Newspapers executed the advice given by the Oklahoma Press Association, and issued special editions depicting and tracing the progress of local and state publishing since 1835. Historians and authors contributed articles on Worcester and the Cherokees. Edith Walker, granddaughter of Worcester, wrote an article about her grandfather for many state newspapers.³⁰ The Sunday editions of the *Tulsa World* and the *Daily Oklahoman* published articles by Grant Foreman and Althea Leah Bass. Mrs.

²⁸ Letter, Lalle E. Wing to Miss Markely, n. d., Oklahoma Department of Libraries, Division of Archives, Oklahoma Library Association Archives, Box 3.

²⁹ "The Oklahoma Centennial of Printing and Publishing," *op. cit.*

³⁰ Letter, Savoie Lottinville to Vernon Sanford, August 3, 1935, University of Oklahoma Library, Western History Collection, University of Oklahoma Press File, Box 16.

Bass had just completed her *Cherokee Messenger*, a biography of the missionary.

The celebration, planned for fourteen months, climaxed with a program held on the site of Union Mission on October 11. Miss Porter, the program chairman, had planned the "Union Mission Marker Dedication Program" for October 6, but the Oklahoma Press Association had set "Newspaper Appreciation Week" ceremonies for October 11. Miss Porter decided to hold the official program on the same date in order to draw a larger crowd.³¹

Hundreds of people converged on the site by caravan. At 2:30 p.m. the bugle call officially opened the dedication ceremony of the Union Mission Marker. The Reverend Ralph Lamb gave the invocation. Mrs. J. R. Dale, head of the Oklahoma Library Commission, paid brief tribute to pioneers who were rich in faith but poor in purse. Professor Morris W. Wardell of the University of Oklahoma, gave a brief history of Union Mission, and Grant Foreman depicted the story of printing at Union Mission. Marshall L. Smith gave the last address—"Expansion of Publishing Business in Oklahoma." After a song by the Bacon College Quartette, Cora Case Porter and Kathryn Buster, great-great-granddaughter of Worcester, unveiled the marker.³² The inscription on this granite marker in Mayes County reads:³³

On these premises . . .

UNION MISSION, the first mission in Oklahoma was founded in 1820 by Rev. Epaphrus Chapman. The first press was established and the first book printed in 1835 by Rev. Samuel Austin Worcester.

Erected by

Oklahoma Library Association, 1935

Grant Foreman revealed the tone of the program in his speech. "Union Mission is a place of historic stature, and what was done here was only the beginning, but it was significant."³⁴

³¹ Letter, Cora Case Porter to Joseph Brandt, September 19, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 16.

³² "Union Mission Marker Dedication Program" (Typewritten), Oklahoma Department of Libraries, Division of Archives, Oklahoma Library Association Archives, Box 3. (*Chronicles of Oklahoma*, Vol. XIII, No. 3, carries an article on the "Centenary of Printing in Oklahoma," a brief review of history of printing and the memorial program, illustrated by full page prints of the title page and two inside pages of the "First Book" printed in Oklahoma, as well as a print of the marker with its inscription erected on the site of Union Mission in 1935.)

³³ J. K. McClarren, "Marker Near Maize Observes 100th Anniversary of Day when First Press Rolled in Oklahoma," *Muskogee Daily Phoenix*, October 2, 1935, p. 1.

³⁴ *Ibid.*

As Miss Porter and Kathryn Buster unveiled the marker, Miss Porter said: "Printing is our stock-in-trade. That is why we place this memorial upon the site of the first printing press in Oklahoma. It is a link between yesterday and today, and we hope that a portion of the hope, faith, and courage of yesterday, as personified by the pioneers here at Union Mission may be with us today."³⁵

The Reverend Joe Grass, a full blood Cherokee, gave the benediction with taps in the background. The people in attendance must have felt some portion of the "hope, faith, and courage" that Porter had spoken about. The benediction officially ended the Centennial of Oklahoma Printing and Publishing, a since all-but-forgotten celebration.

There were some immediate results. Miss Porter had first-hand view of the expression of historical and modern publishing effort with which the celebration was concerned. As president of SWLA, she had an opportunity to further the spirit of regionalism which the celebration brought to light. When working as a member of the special committee, she wrote, "I hope the work of the SWLA publicity committee can go hand in hand with the work of the state committee. The interest aroused should give momentum to the regional movement in the Southwest."³⁶

The SWLA possessed the cohesive and regional loyalty that is necessary to the success of a social pioneering project. To Miss Porter, the Union Mission Marker meant more than just a rock to mark the site of an Indian Territory press. At the annual SWLA conference of 1936, she indicated that regional culture of the Southwest is an interest vital to all librarians as leaders concerned with social and intellectual progress.³⁷

Porter interested the SWLA in a regional movement of writing and publishing by inaugurating plans for extensive publicity of writers, editors, libraries, publishers, and university presses in the SWLA states. She encouraged local librarians to indicate locations of literary activity indicative of local color interest in the territory mentioned in *Folk-Say*. She invited every librarian to develop an interest in any subject related to regional culture peculiar to his locale.³⁸ This regional interest is still carried on by the SWLA today.

³⁵ *Ibid.*

³⁶ Letter, Cora Case Porter to Savoie Lottinville, July 30, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 16.

³⁷ Cora Case Porter, "Eighth Biennial Conference of the SWLA, October 21-24, 1936," *Oklahoma Libraries*, IV, No. 1, (1935).

³⁸ *Ibid.*

At the 1936 OLA meeting, Joseph Brandt gave the major address. Regionalism was also heavy on his mind. He emphasized that the Oklahoma literary movement was one of the most significant in the country. Oklahoma librarians were told to begin a solid Oklahoma section and to be a depository for state writers. The regional novel dominated the best seller list; *Folk-Say*, now rare, sold for twenty-five dollars a copy, but Oklahoma still had a record as one of the worst book states in the country. Brandt encouraged booksellers, publishers, and authors to work together in advancing the book in the state.³⁹

Oklahoma possessed all the ingredients for an active regional movement. It had a fine state library association, an active state library commission, a university press publishing Oklahoma books, and authors with international reputations. But it did not have readers.

Librarians found themselves in the vanguard of a new movement. It placed new responsibilities on the library for directing the regionalism and finding the readers.

Brandt's speech at the OLA meeting was influenced by Frederick G. Melcher, editor of *Publisher's Weekly* and President of R. R. Bowker and Company. Brandt invited him to participate in a conference held in April, 1936.⁴⁰ The people who distribute books—the booksellers, librarians, and publishers—got together for the first time in the history of the state to discuss their mutual problems. The meeting took place at the University of Oklahoma Press office. Melcher spoke on "What Makes a Book Collector." He found Texans looking upon the University of Oklahoma Press as their regional publisher and encouraged Oklahoma to take the lead in the foundation of "... what may prove to be one of the most important aids toward book distribution ever made in the Southwest."⁴¹

Plans were initiated to organize the Southwest Book Distributors and the Oklahoma Retail Booksellers Association. The Oklahoma Book Council formed as a result of the 1936 OLA meeting. Weekly columns by librarians began to appear in many state newspapers.

For the white man to celebrate a centennial of culture that

³⁹ Joseph A. Brandt, "A Publisher Looks at the Library," *op. cit.*

⁴⁰ Letter, Frederick G. Melcher to Joseph Brandt, February 26, 1935, University of Oklahoma Library, Western History Collection, Division of Manuscripts, University of Oklahoma Press File, Box 27.

⁴¹ Frederick G. Melcher, "What Makes a Book Collector," (speech given Monday, April 6, 1936, at the University of Oklahoma Press, Norman, Oklahoma.)

the Cherokees inaugurated is a bit sanctimonious. But it was the literary crest which the Centennial Celebration of Printing and Publishing epitomized. Regionalistic efforts of librarians such as Cora Case Porter, publishers such as Joseph Brandt, and writers such as B. A. Botkin, John Joseph Mathews, Paul B. Sears, and Angie Debo gave a sense of direction to the celebration. A lack of knowledge on the part of Oklahomans about Oklahoma contributed the impetus to the event.

The Centennial Celebration of Oklahoma Printing and Publishing was a cultural event of the greatest importance to Oklahomans. It added to the realization that Oklahoma, although still young and awkward, had a long cultural history. The missionaries who brought religion and education; the Indian leaders, who established a republican government; the authors, who brought recognition and pride; the publishers, who brought a sense of identity; and the librarians, who helped create a regional consciousness, contributed a knowledge that Oklahoma had a "richness and depth comparable to that of any other state in the Union."⁴²

⁴² Joseph A. Brandt, "One Hundred Years of Printing in Oklahoma," University of Oklahoma Library, Western History Collection, University of Oklahoma Press File, Box 16. (Typewritten.)

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LIFE IN OKLAHOMA'S CIVILIAN CONSERVATION CORPS

*By Reid A. Holland*¹

This study examines a relatively little known and too infrequently remembered aspect of a decade of depression in Oklahoma—the Civilian Conservation Corps. The vital history of the CCC in Oklahoma is reflected in the multiplicity of projects, the professional supervision, the soil erosion work, the camp environment, and the educational programs which were all a part of living and working in Oklahoma's CCC camps.

Congress approved the first Emergency Conservation Work bill during the first whirlwind one hundred days as President Franklin D. Roosevelt's New Deal took shape. Roosevelt personally understood and appreciated the values of conservation. As Governor of New York, he had put many men to work in the forests of New York, and he had obtained knowledge of conservation techniques through beautifying his Hyde Park estate. Roosevelt envisioned enrolling healthy, single, unemployed men from the ages of 17 to 26 into a work force to plant trees, to sod grass, to build bridges, to fight forest fires, and to construct park facilities. Enrollees received a "safe wage" of \$30 per month. This admittedly small salary was low enough to be accepted by labor union spokesmen, and yet was more than a man could receive from relief payments. Each enrollee allotted at least \$25 per month to his family in an effort to relieve the huge relief burdens arising from the depression. These men lived and worked in a camp atmosphere different from civilian life. Many Oklahoma men shared this experience, including Oklahoma veterans and Indians, who enrolled in late 1933 under a major expansion of the original bill.²

The administration of the CCC on both the national and state levels developed into an intricate operation under the leadership of Robert Fechner, the Director of the CCC.³ Camp commanders, appointed to direct the day-to-day management of

¹ Reid Holland is a graduate assistant in the History Department at Oklahoma State University currently working toward his Ph.D. This article is taken from his thesis, "The Civilian Conservation Corps in Oklahoma, 1933-1942."

² *Congressional Record*, 73rd. Cong., 1st Sess. Vol. 77, pt. 1, pp. 630-651, 701, 983.

³ This paper does not encompass a detailed discussion of the administration of the CCC. For information see: Charles P. Harper, *The Administration of the CCC*. (Clarksburg, West Virginia: Clarksburg Publishers, 1939).

each CCC camp, were in turn coordinated by a state director of the CCC. These camp commanders were usually reserve military personnel. Civilian project commanders supervised the field work under the auspices of the War Department, Interior Department, or Agricultural Department, depending on what type of work was involved.

Projects conducted by the Corps in Oklahoma may be divided into six major categories. National Park camps, national forest camps, State forest camps, State park camps, soil erosion camps, and biological survey camps all did significant work in the state. Codes identified each type of camp. For example, CCC camp NP-1-0 indicated the location of the Platt National Park camp near Sulphur, Oklahoma. A brief look at the work plans of five typical camps will illustrate the various projects conducted in Oklahoma.

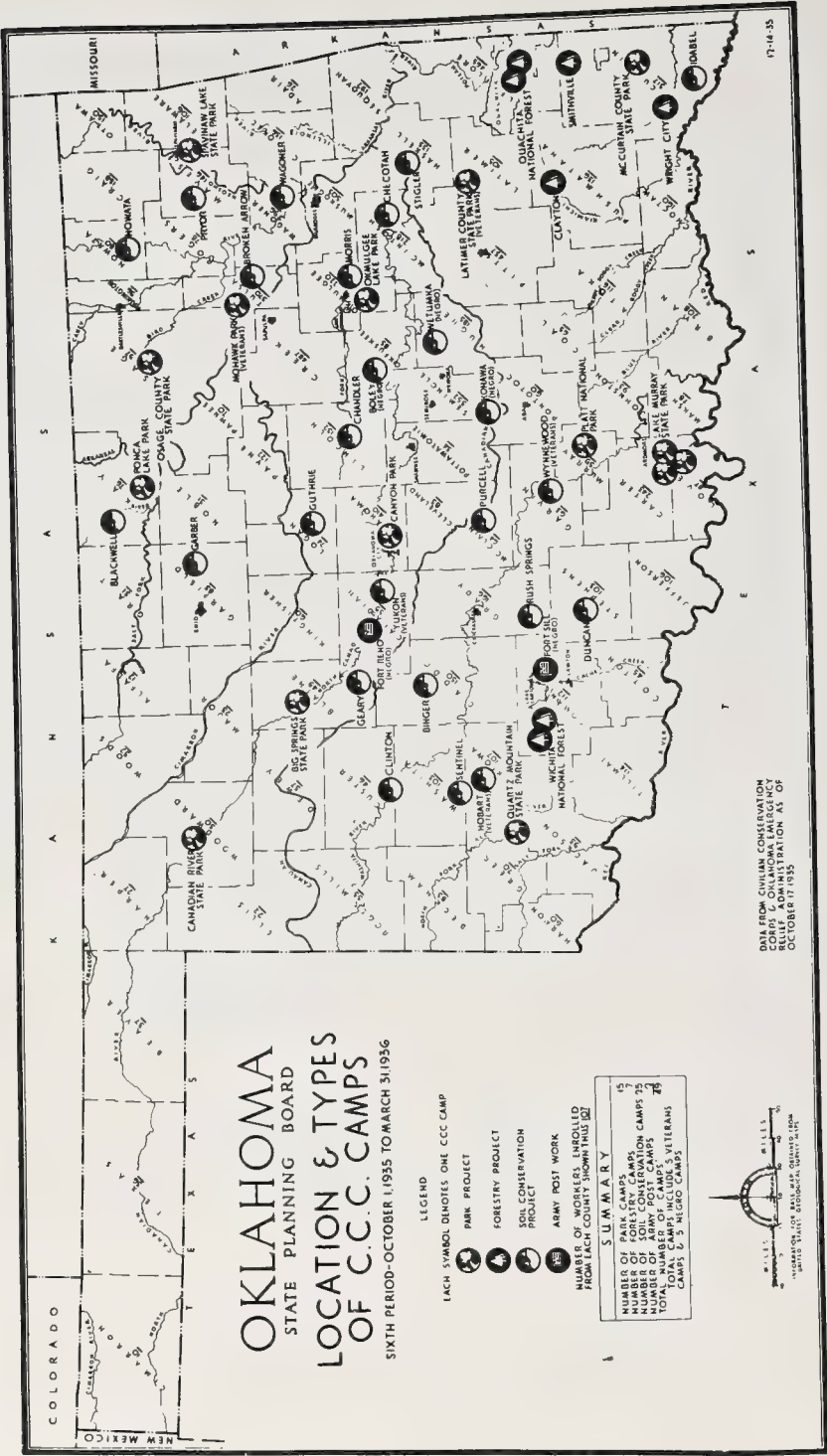
The camp at Platt National Park, under the direction of the Interior Department, was located just inside the grounds of the park. The project included such work as maintaining roads, policing camp grounds, and planting trees and grass. Many of the mineral spring shelters illustrate the stone construction so characteristic of the work done by the CCC; and most of these facilities are still in use today. Enrollees worked the grounds of Platt from May, 1933 to January, 1940, making it one of the lengthiest operations in the state.⁴

The camp near Blackwell, Oklahoma (SCS-4), a soil erosion camp, operated from September, 1935 until March, 1941. Holopeter, as the camp was nicknamed, maintained projects on private land covering a radius of ten miles. Work here included terrace sodding, contour farrowing, pond construction, tree planting, dam building, and surveying. This work was done with direct cooperation of the farmers in the area who furnished grass, seed, and other supplies in exchange for CCC labor.⁵

Present day Mohawk Park in Tulsa, Oklahoma (SP-12), is another example of CCC work. Most of this park was built by a company of black and white veterans. Racially mixed camps such as Mohawk Park were rare in Oklahoma, and where they did exist, separate facilities were maintained for each race. Veterans

⁴ Civilian Conservation Corps, *Camp Inspection Reports*, Oklahoma, 1933-1942, National Records and Archives Service, Record Group No. 35. (hereafter cited as *Inspection Reports*, with specific camps and dated cited where possible), Sulphur (NP-1-0), 1935-1940; *Sulphur Times Democrat*, 1933-1935, 1938-1940.

⁵ *Inspection Reports*, Blackwell (SCS-4), October 5, 1936 to March 17, 1941.



at Mohawk engaged in building boat houses and picnic accommodations throughout the park grounds.⁶

One of the all-black camps in Oklahoma, camp A-1-O, was located on the military reservation at Fort Sill near Lawton, Oklahoma. The project area encompassed the entire reservation of 57,000 acres. Such tasks as building truck trails, culverts, bridges, and fire breaks occupied most of the enrollees' working day. Many CCC camps, Fort Sill among them, were responsible for erecting historical monuments. The project at Fort Sill undertook to restore an old stone corral, formerly a part of the original fort. Oklahoma enrollees were stationed here pending physical examinations and camp assignments, since Fort Sill acted as the Oklahoma district headquarters.⁷

Near Stapp, Oklahoma a major reforestation project included the Cedar Lake recreation region totaling 350,000 square acres. Over 135 miles of truck trails built by the CCC provided access to the area. The enrollees also constructed park buildings and facilities. The Stapp camp (F-1-O), like Sulphur, operated over a long period of time, from 1934 to 1941.⁸

In these five camps and the other eighty-three camps located in Oklahoma between 1933 and 1942, the various CCC projects affected both Oklahoma and Oklahomans. The success of these projects is easily seen through an inspection of the technical staff directing the work of the camps, together with an examination of the planning and execution of one particularly important phase of the CCC work—the soil erosion work.

Each CCC project demanded trained technicians and skilled professionals to supervise the work. For instance, projects in a soil conservation camp like Blackwell required the skill of an agricultural engineer and a staff trained in conservation and agronomy. Two agricultural engineers, a conservationist, an agronomist, and two senior foremen directed the work at Blackwell. Project supervisors received an average annual living wage of \$1700 rather than the relief wage received by enrollees.⁹

In addition to the supervision of the field work, many conservationists worked on planning projects based on local com-

⁶ *Inspection Reports*, Tulsa (SP-12), January 25, 1935 to October 4, 1937.

⁷ *Inspection Reports*, Fort Sill (A-1-O), September 18, 1937 to May 31, 1942; The Oklahoma district was included in the Eighth Corps Area along with Colorado, Arizona, New Mexico, and Texas.

⁸ *Inspection Reports*, Stapp (F-1-O), February, 1934 to March, 1941.

⁹ *Inspection Reports*, 1933-1942.

munity needs.¹⁰ Official plans, drawn up with the cooperation of the farmer explicitly outlined each step to be taken in the soil conservation project. Such planning resulted in a new relationship between the federal, state, and local government and individual land owners. So successful were the conservationists at Blackwell that they put a total of 49,706 "agreement acres" under contract. The majority of Oklahoma farmers contacted cooperated with the CCC program, thus giving a special boost to Oklahoma's farm economy.¹¹

The soil erosion control camps affected a greater impact on the state as a whole than did any other type of camp. However, work in the forestry and park camps progressed under the same basic type of project supervision as did the SCS camps. Aside from the professional supervision, all camps relied on promising young men selected from the ranks of the enrollees to act as "project leaders" in assisting the work direction. Through this able supervisory staff Oklahoma's "tree army" successfully completed work on a wide range of projects.

The state map for 1935 reveals the variety of work and the diversity of projects contributing to a more beautiful and more productive state. In 1935, fifteen park camps, seven forestry camps, twenty-five soil conservation camps, and two military reservation camps existed in Oklahoma. The location of these forty-nine camps is illustrated in figure 1 below. After an initial growth period from 1933 to 1935, the strength of the CCC camps remained stable until the termination of the CCC. The SCS camps and the park camps comprised the bulk of the camps in the state throughout the last half of the life of the Corps.

Oklahoma soon became a national leader in the number of soil conservation camps operating within any district. From 1936 to 1938, Oklahoma ranked third nationally behind Texas and Illinois in the number of active soil erosion control camps. Over the nine year period of operation more than one-half of Oklahoma's camps conducted soil conservation programs. Of all of the accomplishments of the CCC, its conservation work was the most noteworthy.¹²

The success of the Corps' program was personally cited by Robert Fechner, director of the CCC. The work at Platt National Park and Lincoln Park outdoor theatre were listed as examples of work done by the CCC "which would benefit Oklahomans for

¹⁰ CCC projects were allotted to the state based on the population of the community, the availability of work, and local cooperation.

¹¹ *The Daily Oklahoman*, September 22, 1935, p. 12.

¹² *Inspection Reports*, 1933-1942.

years to come.”¹³ However, the CCC also changed the lives of the men who worked on and helped complete the array of conservation and recreational projects. When not in the field, Oklahoma enrollees lived in a camp atmosphere largely of their own making.

The camp environment had all the characteristics of a small community. The men built their own barracks and other camp buildings. Army officers and locally experienced men, or “LEMS” as they were called, supervised the construction process. Some of the LEMS were employed full time by the camps to meet the technical demands of the project. Nearby local markets provided the camp with electricity, water, and usually sewage service.¹⁴

The diagram in figure 2 of McAlester, Oklahoma's CCC camp illustrates the typical camp design. Complementing the barracks, mess hall, and recreational hall were other features of the camp community. A “PX”, or camp canteen, offered the enrollees cigarettes, candy, magazines, and other notions. Mail deliveries arrived regularly once a day. Telephone lines connected the commander's quarters with the nearest city or town. A machine shop kept tools in shape and vehicles in running condition. And camp libraries provided the men reading material.

The daily schedule of camp life varied little due to the military routine. Enrollees awoke to a bugle blast from the night watchman at 6:00 in the morning. After breakfast and camp policing, the camp commander officially “turned over” the work crews to the project leaders for the day's labor. A few enrollees were assigned camp duty as medical aides or as cook's assistants, but most worked in the field. The crews worked at least six hours a day five days a week. In addition to the regular work schedule, the men were responsible for emergency duty in case of forest fires, floods, or other natural disasters. On Saturdays and Sundays the schedule allowed the men free time to visit the nearby town or to receive visitors in camp.

A vital task in the camp community was that of maintaining health and physical fitness. Nourishing and palatable meals generally improved the health of the enrollee, and in most cases improved his weight. Even though beer often accompanied meals, some enrollees did voice complaints about the food. The men frequently argued that the Army officers ate better than they did.

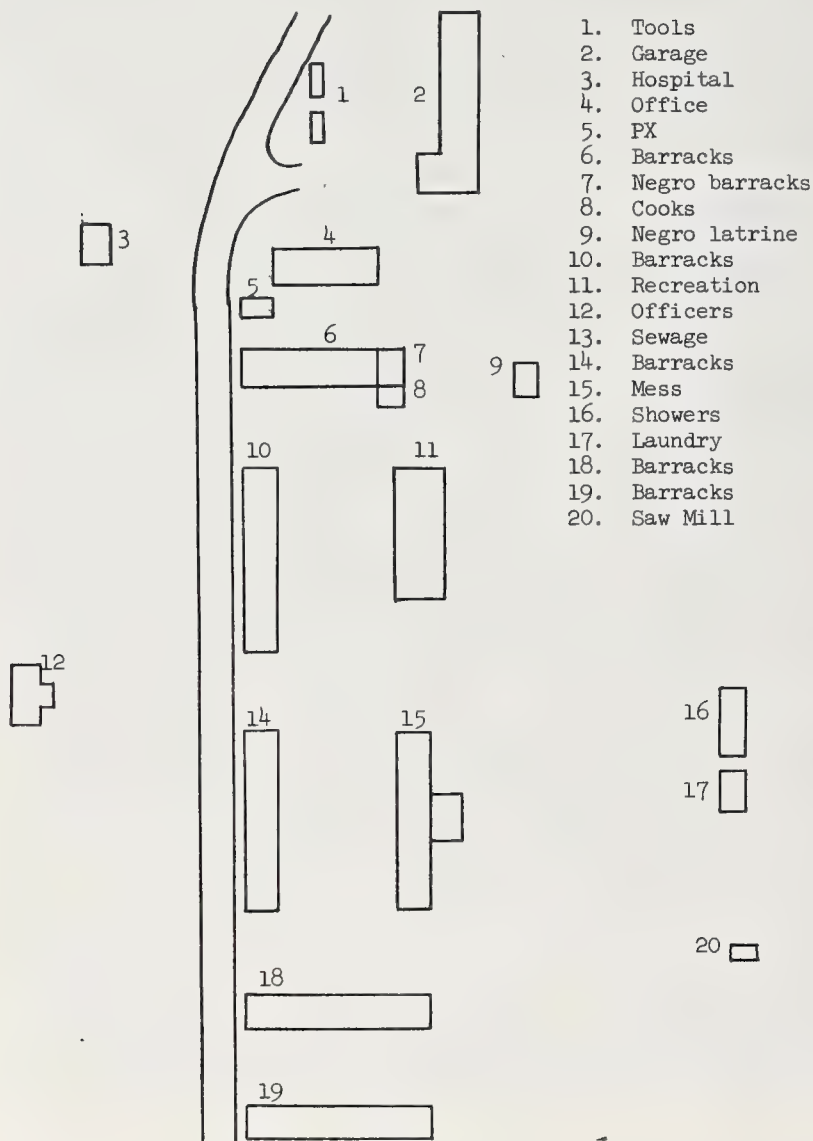
The medical officer assigned to each camp controlled the

¹³ Director of the Civilian Conservation Corps, *Annual Report of the Director of the Civilian Conservation Corps*, 1934 (Washington, D. C.: Government Printing Office, 1937), p. 19. (hereafter cited as *Director's Report*.)

¹⁴ *Inspection Reports, 1933-1942*; *The Perry Daily Journal*, March 20, 1934, p. 1, *The Daily Oklahoman*, July 9, 1933, p. 12.

FIGURE 2

DIAGRAM, CCC CAMP, MCALESTER, OKLAHOMA, 1936



Source: Oklahoma Camp Inspection Reports.

sanitation and safety conditions of the camp. Most camps had a resident doctor and facilities to house bed patients if need arose. Testing the water supply, approving the camp diet, and supervising the camp's disposal system occupied the doctor's time when he was not attending patients.¹⁵

A separate dental program operated by the CCC divided the state into three districts with one dentist assigned to the camps in each area. This meant that a single dentist spread his time over approximately eleven camps, staying two weeks in each camp. During these two weeks the dentist attempted to examine as many men as possible, in addition to performing operations and emergency treatments.¹⁶

Active recreation programs further promoted the good health of enrollees. Camp recreation halls usually housed a pool table, "ping-pong" games, and other indoor pastimes. Outdoor sports interested the men most with nearly every camp fielding baseball and basketball teams. Intramural schedules often set one camp against another or against a local town team in baseball and basketball tournaments, in boxing bouts, and in other sports.

Living and working in these Civilian Conservation Corps camps was not, as some of the above description may suggest, a combination of hard work, good meals, and weekend baseball games. Enrollees also had opportunities for individual self-improvement through various educational and training programs. While not a part of the original CCC bill, these programs were initiated in 1933 after President Roosevelt approved a plan for attaching advisors to each camp. Educational advisors to the President viewed the CCC as a means of eliminating illiteracy among enrollees, removing deficiencies in the most common subjects, offering "cultural" education, building character and citizenship, and assisting enrollees in securing permanent employment.

Regular classes met three or four times a week in most camps. Such classes included both primary and secondary educational levels. Arithmetic, grammar, spelling, and writing comprised the majority of elementary course work. Pressure on the illiterate or barely literate enrollee to take these courses usually resulted in full class rooms. Many camps conducted their own graduation exercises for those who passed exams approved by the state, thus allowing them to receive accredited eighth grade certificates.

The secondary curriculum included courses in agriculture, bookkeeping, typing, English, history, social science, and health-

¹⁵ *Inspection Reports, 1933-1942.*

¹⁶ *Inspection Reports, 1933-1942*; Sumner A. Russman, D.D.S., former dentist attached to the Oklahoma CCC, letter to the author September 6, 1968.

and-safety. Camps situated near college campuses often utilized the college facilities. In at least two instances, Oklahoma A & M College (now Oklahoma State University) and Central State College, offered special course work.

Most Oklahoma enrollees welcomed the chance to improve their education. Over eighty per cent of the men in Oklahoma camps participated in the course work. Despite this obvious interest in formal classwork, enrollees exhibited greater interest in the possibilities of vocational and on-the-job training through greater participation. Each experience in the work day of the enrollees amounted to a unique type of vocational training. Men could hardly operate a surveying unit without first learning how it worked. This situation applied to almost all of the work done by the CCC, as most of the enrollees were not only young but also inexperienced. Rock quarrying, truck driving, and carpentry—all essential to CCC programs—were easily mastered by the enrollee interested in these skills. Class room vocational instruction was also offered, with courses in automotive mechanics, cooking, mechanical drawing, masonry, soil conservation, forestry, and woodworking being the most popular with the enrollees.¹⁷

The responsibilities of coordinating these activities belonged to the educational advisor. He taught most of the courses, except those requiring special skills which were taught by the camp's military officers or the technicians. In addition to his teaching duties, he arranged for class rooms, teachers, materials, and texts. Most Oklahoma camps maintained an average of seventeen to twenty course offerings, which kept the educational advisor busy. Some camps built their own "schoolhouse"; but if such a building could not be built, the recreation hall, the dining hall, the hospital, the shop, or a local building might be used.¹⁸ Libraries and reading rooms augmented the instruction given in the class room or the field. And this instruction paid off by upgrading the general quality of work performed.

The total camp atmosphere greatly influenced Oklahoma's young and needy. The hard work, the fresh air, the wholesome meals, and the educational opportunities affected the lives of over 100,000 Oklahomans. But not all enrollees benefited equally.

Oklahoma Negroes did not enjoy the high degree of morale which the white enrollees experienced. The original Emergency Conservation Work bill contained an amendment prohibiting all discriminatory practices in the CCC. Despite this, many states

¹⁷ *Inspection Reports, 1933-1942.*

¹⁸ *Inspection Reports, 1933-1942.*

enrolled Negroes disproportionately to their population.¹⁹ Oklahoma enrollment statistics do not reveal the number of blacks enrolled in each county, and, therefore, no appraisal of enrollment can be made. Each county enrolled men on the basis of assigned "quotas" usually given in two figures: one for the white enrollees, and one for the black enrollees. For example, Payne county often advertised a quota for eight or nine black enrollees and fourteen white enrollees.²⁰

Once enrolled, blacks were discriminated against and summarily assigned the most menial tasks as cooks and janitors. Blacks worked and lived in both "mixed" and all-black camps. As figure 1 above illustrates, five all-black camps existed in the state in 1935; as many as eight operated in the state during the depression. It is probable that Oklahoma blacks received better treatment in these all-black camps. But, mixed companies quartered the races in different barracks, separated their bathing facilities, and scheduled their meals at different times. Nothing was thought about this simple separation of the races, for it was common custom to treat Negroes in such manner. Several "near race riots" brought investigation to the Fort Sill and Cache camps, but major incidents were averted.²¹

Despite this drawback, Oklahoma citizens reacted positively to the Civilian Conservation Corps. An overwhelming majority of Oklahomans recognized and appreciated what the CCC was doing for their state. Oklahoma farmers especially benefitted from new farming techniques. Naturally, many local citizens were at first apprehensive about 200 young single men moving into their immediate area; but such fears soon dissipated.

Cooperation between the camps and the nearby communities made it possible to build public confidence as well as to build conservation projects. Local civic groups often invited the camp commanders and the project supervisors to speak at luncheons and meetings informing the public about the CCC work. Frequent visits and tours of projects along with the everyday sight of CCC work crews in the fields soon convinced Oklahomans of the usefulness of the CCC program.

The monthly enrolled strength of the CCC in Oklahoma was slightly over 8,000 men. Consequently, the relief burden of the state became less and less. In 1936, the CCC in Oklahoma em-

¹⁹ John Salmond, "The Negro in the Civilian Conservation Corps", *The American Historical Review*. Vol. LII (June, 1965), pp. 73-88.

²⁰ *The Stillwater News*, July 5, 1938, p. 1.

²¹ *Inspection Reports*, 1933-1942.

ployed men from 13,112 Oklahoma families formerly on relief. By 1937, Oklahoma ranked fourth in the nation in the number of enrolled men behind Texas, Illinois, and New York. Near the beginning of 1942, Oklahoma operated more CCC camps than any other state, but they were not to last.

From June, 1940 to June, 1941, Oklahoma discharged over 48,000 men to accept employment in the military service or in defense plants. On March 6, 1942 the first official word came that the CCC would begin drastic cutbacks. Throughout the summer months Oklahoma camps were abandoned. A few were turned over to the Army, but most were just forgotten.²²

The heritage left Oklahoma by the CCC should not be forgotten. The newly created state park system, the impetus given to scientific conservation, the unique job training, the educational opportunities, and the employment given to Oklahomans were all facets of the CCC which made Oklahoma a better place to live.

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In addition to the following sources the newspaper department in the Oklahoma Historical Society Building, Oklahoma City provides local news coverage of the CCC. The author conducted extensive visits and correspondence with many former enrollees still living in Oklahoma.

²² *Director's Report*, 1938, p. 27; *The Daily Oklahoman*, March 7, 1942, p. 1; *The Enid Morning News*, March 17, 1942, p. 3.

NOTES AND DOCUMENTS

REPORT ON THE HISTORY DEPARTMENT
OKLAHOMA STATE UNIVERSITY

The following report has been received from Dr. Homer L. Knight, Head of the History Department, Oklahoma State University:

REPORT

The History Department of Oklahoma State University announces the following activities and staff changes effective with the autumn semester of 1970: Michael M. Smith, instructor in history at Texas Christian University, became assistant professor of Latin-American history; Douglas D. Hale and H. James Henderson were promoted to professor; Charles M. Dollar and John A. Sylvester were promoted to associate professor; Bernard W. Eissenstat, who served as director during the summer of the institute on communism and other radical movements at Oklahoma State University and the workshop on communism at Northern Arizona University, resumed his duties as associate professor of Russian history; Charles W. Harris, part time instructor, became instructor in history in Tulsa Junior College; Wayne Metz, part-time instructor, was awarded the James Mills Fellowship for graduate study in the Episcopal Church Archives located at the Seminary of the Southwest, Austin, Texas.

NOTES ON THE HEAVENER RUNESTONE

The following notes on the "Heavener Runestone" inscription are by Gloria Farley in reply to Dr. Robert E. Bell's statements that appeared in *The Chronicles of Oklahoma*, winter number 1969-1970 (Vol. XLVII), titled "Comments on the Heavener Stone Carvings" under Notes and Documents, pp. 447-49. Dr. Bell's statements are in disagreement with Mrs. Farley's findings that would prove the inscription carved on the great stone standing on Poteau Mountain, near Heavener, is of Viking origin. Dr. Bell read his statements at a State Anthropological Society meeting at Wilburton, Oklahoma, on November 1, 1969, immediately following the oral presentation by Mrs. Farley, on the subject "Norsemen in Oklahoma." Mrs. Farley's notes here on the subject of the "Heavener Runestone Carvings," give Dr. Bell's statements, each followed by her own presentation of "Fact":

The Heavener Runestone Carvings

Statement: "It is my personal opinion that the carvings were made in modern times, probably within the last hundred years or more."

Fact: Such claims should scientifically be based on evidence and not on the personal opinion of anyone. Dr. Bell is a noted archeologist, but is not a runologist nor a cryptographer. When asked to share the basis for his opinions, he declined.

Statement: "There are individuals who believe that the Heavener carvings were made by Vikings who somehow wandered into eastern Oklahoma centuries ago. Why do people support these irrational ideas? Aside from possible personal profit or promotional schemes, they do so because they want to believe them to be true."

Fact: My belief in the fact that Norsemen were indeed in Oklahoma in the eleventh century is based on evidence and not on wishful thinking. It would be very pleasant to be able to make a financial profit from 22 years devoted to research on this subject, but so far this is not true, as I have spent more than a thousand dollars in the research, and have received only a twenty dollar donation. I am very grateful that the State Parks Board saw fit to make the site into a State Park, based on my research. I do not think a State Park would be considered a promotional scheme.

Statement: "The view that the Vikings came up the Arkansas River in the eleventh century to carve their mark upon Poteau Mountain is equally imaginary."

Fact: Besides the evidence of the Heavener Runestone, there are seven other evidences that the Norse traveled the Arkansas River in the eleventh century; publication rights reserved.

Statement: "The carvings have been examined by Dr. W. E. Ham of the Oklahoma Geological Survey, who concludes that there is no geological evidence to indicate when the carvings were made, that they could have been done less than 100 years ago, or more than 5000 years ago."

Fact: Dr. Ham did state this. But this is only a part of his statement. I quote from a letter from Dr. Ham dated January 18, 1960, "The stone is firmly indurated with silica cement, and is so tough that it can be broken by a geologists' hammer only with considerable difficulty. Once engraved, the characters might remain virtually unchanged for hundreds of years, for the well cemented sandstone rock is weathered slowly and is dissolved hardly at all by chemical action. Judging from this evidence, it is not impossible that the cutting was done a thousand years ago."

A letter from Mr. George H. Shirk, President of the Oklahoma Historical Society, dated June 8, 1964, states "I have again discussed the matter with Mrs. Frizzell (Mildred Frizzell, geologist who examined the stone) and she said that from the point

of view of a geologist, there is nothing that would preclude the inscription having been made from 1100 to 1600 years ago."

A letter from Mr. Arnold Buzzalini, geologist and President of the Tulsa Archeological Society, to me, dated February 23, 1970; "As you know, most of the thin clay pottery found in your area and dated by the archeologists who have studied this region, has been benefited by carbon dating. Why should a fragile piece of pottery remain secure from complete weathering when buried in the loamy soil of this region for a thousand years or more? In terms of weathering geologically, a deeply scribed mark made on the dense McAlester sandstone has a much better chance of survival than the shallow fingernail mark or print on a small piece of poorly fired clay pot."

Mr. Frederick J. Pohl, on page 48 of his book, "Atlantic Crossings Before Columbus" states, "The grooves on (Heavener) cemetery gravestones 80 to 100 years old still retain edges that feel sharp to the thumb, and so do 250 year old grooves on sandstones in Bruton Parish in Williamsburg, Virginia, while the edges of the grooves in the Heavener Runestone have been weathered to comparative roundness, and therefore must be of very great age."

The location of the Heavener Runestone protects the inscription from any wind erosion, and its vertical position protects it from ice erosion.

Statement: "The carvings cut into the sandstone include eight symbols or letters of two runic alphabets derived from widely separated time periods. Such mixing of the runes is not known in antiquity, even in Scandinavia—"

Fact: The first part of this statement is correct. The inscription includes six runes from the Old Norse futhork of 24 runes, beginning in 300 A.D. or before, and two runes from the later Scandinavian futhork of 16 runes, which was used beginning about 800 A. D.

The mixture of the two alphabets was certainly used in antiquity in Scandinavia, as shown in seven photographs of runic inscription in Wolfgang Krause "Runeninschriften im alteren futhork," 1937, and in five examples found in "Handbook of the Old Northern Runic Monuments of Scandinavia and England" by Dr. George Stephens, 1884. Detailed drawings of the famous Rok stone (pp. 32-35) from East Gotland, Sweden, thirteen feet high, dated 800-900 A.D., show that it is carved with 770 runes from both alphabets. On page 44 is the Osby Stone dated 1000-1100, and on page 45 is the Ingelstad stone dated 1200-1300, both from East Gotland, Sweden. On page 99 is the Helnaes Stone, Fyn, Denmark, dated 750-800 A.D., and on page 106 a Priest's Sacramental Cup made of silver, buried on the breast of a corpse

found in the graveyard of Tommerup, Sealand, Denmark, dated about 1227 A.D. All these contain runes from both alphabets in question.

Statement: "As to what is meant by the runes—this depends upon whom you ask."

Fact: Of the five translations mentioned by Dr. Bell, only two are by authorities and only one is correct. The suggestion that the inscription might be the name, G. Nomedal, came from Aslak Liestol, runologist of Universitets Oldsaksamling, Oslo, Norway. He is supported in this translation by Mrs. Birgitta Linderöth Wallace, archeologist of Carnegie Museum, Pittsburgh, Pa. But both these learned people, in order to obtain this transliteration, have altered the true shape of the deeply carved and plain runes. They are assuming that the second rune is unfinished and the last rune retrograde or backward, which would classify them in the same runic alphabet with the other six runes. Such is not the case. The second and last runes are perfect, and are from the later alphabet. The transliteration is not G N O M E D A L, but G A O M E D A T.

Statement: "Many suggestions have been made other than the Vikings—they were made by the Indians and are a kind of pictographic writing; they represent branding iron designs from early pioneer days; they were carved by the Boy Scouts to indicate the patrol name in secret code; they were carved by a wandering Swede or Norwegian to mark his visit like "Kilroy Was Here."

Fact: Determined to be thorough in my research, I had in previous years followed through on all these suggestions, plus more.

Miss Muriel Wright, authority on Indian history in the state and Editor of *The Chronicles of Oklahoma*, stated at my home on September 30, 1959, that the inscription is not Indian. A report on The Heavener Runestone by President George Shirk in the Autumn, 1959, *The Chronicles*, page 367, states, "Indian (Five Tribes), not believed possible. Does not correspond in any way with the Cherokee or other alphabets. Indian (prior to removals), not believed possible. Indigenous tribes had no knowledge of such things, and inscriptions of such peoples are of the pictograph type and are not linear." The inscription was submitted by me to the Summer Institute of Linguistics at Oklahoma University in 1953, and was studied by members of the Kiowa, Choctaw, Cheyenne, Arapaho and Cherokee tribes. A reply from Ben Elson stated that none recognized it.

Cattle brands? The runologists all agree that the Heavener

symbols are indeed runes, the question was when was the inscription made. Some bindrunes, or combinations of runes, do resemble some cattle brands, but there are no bindrunes on the Heavener inscription.

Boy Scouts? Dr. Bell was under the impression that he had been told by a former Boy Scout of Heavener, Glen Bordwell, that the Scouts had carved the runes. I quote from a letter from Mr. Bordwell dated February 9, 1959, to me, "As I recall Indian Rock (the former local name for the Heavener Runestone), it stood on edge, higher than I could reach, 25 to 50 feet out from an overhanging cliff. All of the symbols were on the face which looked toward the west. We scraped the moss from some of the characters on Indian Rock." Mr. Bordwell stated that the scouts did cut some symbols on another stone behind and above the Heavener Runestone, but we have been unable to find it.

If made by a "wandering Swede or Norwegian," then the same man also wandered to three other widely separated sites in two states, evidence to be published later. The composer of the Heavener inscription was very likely a Benedictine monk who accompanied the Norse colonizing party of Thorfinn Karlsefni, who landed on the Atlantic coast in the early part of the eleventh century.

Statement: (concerning when the runes were carved) "There are some personal statements based upon recollections by individuals who claim to have seen the carvings 30 or 40 years ago."

Fact: I have many signed statements, witnessed oral statements, and conversations recorded on tape from people who saw the carving 60 to 70 years ago. I have two reports that the Choc-taws saw the carvings in the 1830s.

Statement: "It is equally possible to obtain personal recollections from other individuals who claim they were not there at that time."

Fact: During 22 years of research, I have never heard a single claim that the carving was not on the stone when it was first seen. I asked Dr. Bell for the name of the person who made this claim. He admitted that he was talking about a carved stone in another part of the state, and not about the Heavener Runestone at all.

Statement: "We have no satisfactory evidence to settle this matter (when the runes were carved). Reputable rune scholars who have been questioned scoff at any possibility that the Heavener Runes could be genuine and ancient."

Fact: We know exactly when the runes were carved, even

the day the carving was begun, the "day of dedication." It was November 11, 1012. This is the correct translation of the Heavener Runestone inscription, this date only. It is true that some reputable runologists scoffed, because we and they also were basing the transliteration on the assumption that the runes represented letters and words, so did not make sense. Such is not the case. The runes do not represent letters, but numbers, according to their places in the alphabets. It seems that we were asking the wrong authorities, as the translation does not fall in the field of runology or linguistics, but in the field of cryptography and mathematics.

The correct solution was given by a cryptographer, Mr. Alf Monge, who found that the inscription is a very clever cryptopuzzle written in runic numbers. The mixture of the alphabets was intentional and necessary as part of the puzzle. The art of composing the runic cryptopuzzle, lost for 500 years until its rediscovery by Mr. Monge, was the intellectual pastime of the Norse medieval clergy. As a simple crossword puzzle proves itself in two ways, the Heavener inscription proves itself in eight different ways. The mathematical odds that this could just "happen" are astronomical.

Further proof lies with another runestone discovered at Po-teau, ten miles away, in 1967, which is also another runic dated cryptopuzzle: November 11, 1017, and made by the same man. The symbol used in this inscription for 17 is a very rare form used in the Medieval Easter Table as a rati number for line 17, and is not shown in ordinary encyclopedias or references.

Statement: "To my knowledge, the only genuine runes carved on stone that have been found in the entire New World came from Greenland. The Kensington Rune Stone from Minnesota is known to be a fraud; the Beardmore hoard of Viking relics is apparently a planned hoax; the Newport Tower is early Colonial period rather than Viking."

Fact: The phrase "to my knowledge" is quite a loophole. There are few runestones in Greenland, but many genuine runestones in America that apparently he does not know about. It is true that a controversy has raged since 1898 about the authenticity of the Kensington Runestone. I have a list of 46 publications and opinions on this subject, both pro and con. However, Mr. Monge was also able to provide indisputable evidence that it is genuine. Also a cryptopuzzle, it secretly verifies the visual date of 1362 which it bears, and also contains two acrostics in runes which translate, "Harrek made me" and "Tollik cut me." The farmer who found the runestone, accused of composing the already intricate inscription, would have been incapable of this. Also the tree roots which were wrapped around the stone so tight-

ly that the wood bore the impression of the carved runes, existed for many years, and were examined by witnesses.

The Beardmore (Ontario) Relics have been neither proved nor disproved, as the evidence was unfortunately clouded by personal envy and controversy, and now can probably never be settled.

The Newport Tower in Rhode Island is definitely a Norse stone structure. Mr. Frederick J. Pohl in his book "Atlantic Crossing Before Columbus" stated that the evidence that it is pre-Colonial exists in a document among the Colonial papers in the Public Records office in London. Newport was not founded until 1639. The "rownd stone towre" was listed in 1632 as "a commodity of the land" on a survey for a proposed colony. Mr. Pohl also personally found that every linear measurement in the tower is an exact unit in Norse measurements, but fractional in English measurements. The clincher is the fact that a runestone, which is another cryptopuzzle dated 1116, is built into the tower, as published in "Norse Medieval Cryptography in Runic Carvings" by Alf Monge and Dr. O. G. Landsverk.

Statement: "The only Viking remains currently established for North America appears to be the site of L'Anse aux Meadows at the tip of northern Newfoundland."

Fact: "Appears" is correct. Readers are invited to watch for a book on the Norse in America rapidly approaching the final manuscript form by Alf Monge, Mr. Earl Syversen, and this author.

—Gloria Farley

BOOK REVIEWS

Ralph Ogden. By Ruth Goddard. *The Seven Mustangs.* By J. Frank Dobie. (The Pemberton Press. Jenkins Publishing Company, Austin and New York, 1969. Pp. 54. \$4.95.)

Standing prominently on the Austin campus of the University of Texas is the great bronze sculpture of the Seven Mustangs. Unveiled in 1948, this magnificent monument was commissioned by Ralph and Ethel Ogden and created by A. Phimister Procter.

This slender, attractive volume is divided into two parts. It is the story of the men and ideals behind this work. The first part is the life story of Ralph Ogden as told by his wife to Ruth Goddard. The second, is an essay written by J. Frank Dobie especially for unveiling of the Seven Mustangs.

Ralph Ogden's story is one of pure grit, determination and eternal optimism. The native of a ranch in Bosque County, Texas, he entered a variety of careers including trail driving cattle and mustangs to Kansas (his herd was entirely wiped out by a drouth), grain shipper (the Galveston Flood of 1900 destroyed his business), wax manufacturing in Mexico (burned out by bandidos), automobile manufacturing in Austin (factory destroyed by a 1922 tornado), and oil drilling (finally, success).

Ogden knew and loved the Southwest, and toward the end of his life proposed a monument to the spirit of the land. Remembering his early trail-driving days, he suggested that this spirit be centered around the figures of the wild, free mustangs of the Texas plains. He went to J. Frank Dobie with his idea and together they selected Procter to do the job. Ogden didn't live to see this beautiful work that was so long delayed by World War II when bronze became so scarce.

In his essay, Dobie tells the history of the mustang and relates the experiences of the artist who lived and worked in the brush country of deep South Texas in order to capture the spirit of the pure strain of Spanish mustang. The result is a true work of art.

This book is more than just the story of men and their ambitions. It is the story of a man who wanted to leave something of the past that future generations could visualize and understand the greatness and the spirit of those who settled the land.

The Buffalo. By Francis Haines. (Thomas Y. Crowell Company, New York, 1970. Pp. 242. \$7.95)

At the outset of this splendid book, the author makes this statement: "With its great size, vast numbers, and wide distribu-

tion, the buffalo was in sheer mass the largest game species ever known to mankind, and it exerted a profound influence on man from his first arrival in North America until the destruction of the herds in the late nineteenth century."

From this beginning, the author proves his point through twenty-six interesting chapters. Beginning with prehistoric times and following through to the present, he shows how the history of man in America was affected by this mighty beast.

Fossil remains show that the buffalo ranged the American plains for hundreds of thousands of years before the arrival of the first human hunters. As time passed, the huge early bison gave way to a smaller, more agile one. By 1600 A. D. the buffalo grazed over a gigantic range that extended southward from the Canadian prairies to central Texas; from the Rockies to Virginia and the Carolinas. Contemporary accounts of the time reported a small, isolated herd in the Florida panhandle around 1685.

Although their ancestors hunted the buffalo on foot with primitive weapons, it wasn't until the Indians were mounted on horseback that they were able to organize their spectacular hunts. From this period on, the destinies of the Plains Indian and the buffalo were locked together. Haines follows the events that led to their inevitable fate from the time of the coming of the white man: the impact of the railroad, the mass buffalo slaughters and their part in the conquest of the Indian. By 1900 only a few buffalo remained.

Filled with hundreds of fascinating, sometimes little-known facts and illustrated with nineteen black-and-white photographs and paintings by Alfred Jacob Miller and George Catlin, this full-scale saga of the buffalo is highly informative and interesting. It will become a classic.

—Arthur Shoemaker

Hominy, Oklahoma

Marion T. Brown: Letters From Fort Sill 1886-1887.

Edited By C. Richard King. (The Encino Press: Austin, 1970. 7.50.)

This book, *Marion T. Brown: Letters From Fort Sill 1886-1887*, is an answer to Elizabeth B. Custer who said in the preface of her book, *Boots and Saddles*: "Very little has been written regarding the domestic life of an army family, and yet I cannot believe that it is without interest . . ."

Editor King points out in his introduction that these letters from Marion Taylor Brown written from Ft. Sill have a part in the history of this great American military post in Oklahoma.

Miss Brown's letters are indeed interesting and reflect the life of a frontier out-post as seen from the eyes of a young woman who went to visit for her health and stayed to enjoy the whist, hops, dinners and calls. Her correspondence is rich in details of the social life of the post. "Most of the time is spent in going to parties and making party talk" she writes, but at the same time her interest in writing and in local history prompted her to make notes and to do research for a history of Fort Sill from its earliest date which she would complete after her return home. Her letters from Fort Sill are arranged in sections by months beginning with November, 1886, and ending in February 1887. The editor's notes at the end of each section are detailed and important in reference to the text, and his introduction includes some history of Fort Sill and some background material on Miss Brown and her family.

Marion Brown had arrived at Fort Sill at an opportune time. Morse K. Taylor, an outstanding army surgeon and pioneer on sanitation nearing retirement spent many hours with her and her friend, Miss Shumard, visiting and reminiscing. Horace P. Jones, interpreter for the Indians and an old-timer in the area, was a man of few words but golden memories, and Quanah Parker, who came some thirty miles to be interviewed by Miss Brown, amazed her with his ability to speak English and his impressive appearance. There were also the Comanche Indians still in transition from prairies to reservation who visited the trading post and found as much amusement in the whites and their dress as the whites found in them.

It was against this colorful background of a vanishing America that Miss Brown, for a brief time the "belle of Fort Sill," surrounded by bright young West Point graduates, writes her charming and personal letters to her family at home in Dallas. The casual or careful reader will find interest and amusement in this correspondence which except for the facts is so contemporary in mood.

—Patricia Lester

Oklahoma City, Oklahoma

Books Received: Editorial Department
The Chronicles of Oklahoma

The Navajo of the Painted Desert. By Walter L. Bateman. Illustrated By Richard C. Bartlett. (Beacon Press, Boston, 1970. Pp. 124. \$5.95)

The Navajo of the Painted Desert is a book of the Navajos as they were one hundred years ago. It tells of their life, their

work and their families. It tells of their superstitions and beliefs which held them so rigidly to certain disciplines in life and were actually beneficial to them. The author's imaginative style and blending of fact and fiction makes this a book for students of all ages.

The entire book, with the exception of Chapter 16, which looks at the hard realities of Navajo life today, is poetic in nature. This quality enhances the authenticity of the stories and expresses well the heritage of a people that has long been neglected. The illustrations by Mr. Bartlett and the many photographs add much interest.

Sam Houston with the Cherokees 1829-1833. By Jack Gregory and Rennard Strickland. (University of Texas Press, Austin and London, 1970. Pp. 164. \$6.00, 45s)

Sam Houston with the Cherokees 1829-1833 is a carefully documented book researching the years Houston spent with the Western Cherokees. The authors have included "legend" and "speculation" because much evidence is missing and also because the Cherokees, as many other Indian tribes, have an oral tradition.

Much of the "speculation" deals with the extent and implications of President Jackson's involvement, if any, in Sam Houston's "plot" to free Texas from Mexico. Much of the "legend" deals with Houston's private life—his marriages and his Indian wife, Diana Rogers. The facts as revealed by the authors, show that a great deal of work was actually accomplished by Houston during his exile and that he did not "lay in the gutter of life" as many believed.

His articles signed "Standing Bear" and "Tah-lohn-tus-ky" which appeared in the *Arkansas Gazette* during this period represent some of his finest writing and one of the strongest pleas ever written for the defense of the Indian. Ironically, the authors raise the question of "whether Houston was ever respected by the Cherokees or whether they were only seeking his personal influence with President Jackson." The other side of the coin is whether Houston was really advancing the Indian cause or merely his own. In either case, Houston stands as a man of vitality and vision and the authors have written an objective and scholarly account.

Wells, Fargo Detective: A Biography of James B. Hume. By Richard Dillon. Coward-McCann, Inc., Publisher. May 16, 1969. \$7.95.

Wells, Fargo and Company engaged James B. Hume in 1873, to track down the legendary highwaymen who made their famous

express routes so treacherous with their challenge. "Throw down the box." In his biography of Hume, *Wells, Fargo Detective*, Richard Dillon describes not only the years that Hume spent as head of the Wells, Fargo detective bureau, he also gives an account of Hume's early life as the youngest son in a family of ten raised by a strict Presbyterian father, and of his young manhood prospecting in the West.

If Jim Hume was no Sherlock Holmes, says Dillon, he was the equal of many of the great American detectives. He became the first ballistics expert when he dug pellets out of a stagecoach and matched them with those taken from a suspect's gun. During his forty-two years in law enforcement, all but eleven of which were spent in the employ of Wells, Fargo, Jim Hume investigated hundreds of cases. Dillon shows that Hume's dogged efforts on behalf of outlaws whom he knew to have been framed reveals his deep integrity. Unlike many of his colleagues, he was a thoroughly professional law officer. After a lengthy courtship, he married late in life—a marriage solemnized in the home of the warden of San Quentin. He died in 1904.

NECROLOGY

ROBERT MILLIGAN MOUNTCASTLE

1888-1970

Eulogy delivered by Earl Boyd Pierce

Oklahoma Historical Society—Oklahoma City, Oklahoma

April 23, 1970

Mr. President, Governor Bartlett, Fellow Members of the Society, Distinguished Guests and Friends:

It is an honor for me to express the admiration and respect we have for the memory of a worthy associate and friend. Excepting only one other, Dr. Edward Everett Dale, Judge Mountcastle had served our Society longer than any other member of the present board. He was chosen to serve on the Board of Directors at the request of the late Judge Robert L. Williams, whose signal service to the Historical Society, the State of Oklahoma, and to the United States of America is well-known.

Mr. Mountcastle was one of the few men who enjoyed the absolute confidence of Judge Williams, under whom he served as United States Commissioner for twenty years. Of all men in high public office in the State and Nation with whom Mr. Mountcastle was acquainted, without doubt, Judge Williams knew him best and gave to him more of his trust than to any other man.

In later years, he served in the State Legislature from Muskogee County, the 18th and 19th sessions, and was elected Speaker protem of the latter by that body. Mr. Mountcastle was a true patriot of Ft. Gibson. Although he resided in Muskogee for many years he never changed his voting precinct, the Town Hall, in Ft. Gibson.

He was admitted to practice before all State and Federal Courts, including the Supreme Court of the United States, and was a member of the County, State, and American Bar Associations. He was a charter member of the Frank Gladd Post of the American Legion. His Masonic Affiliations consisted of Membership in Alpha Lodge #12, his hometown Blue Lodge at Ft. Gibson. He was a 32nd degree mason and Shriner (Beduoin Temple) Muskogee, and was a member of the Royal Order of Jesters. He was an active life-long member of the Baptist Church.

It was my good fortune to enjoy Mr. Mountcastle's friendship and affection for over 57 years. He was an intimate friend of members of four generations of my family. His loss to the State of Oklahoma, to Muskogee County, and to Ft. Gibson is irreparable to those who depended upon him for so long a time. His close friends and associates in our Historical Society, his colleagues at the Bar, and his fellow citizens who were his clients and friends perhaps will welcome more knowledge of his origin and background.

Robert Milligan Mountcastle was born in historic Jefferson City, East Tennessee, March 17, 1888. He died at Muskogee February 11, 1970; aged 81 years and 11 months. He was the son of W. H. and Maude C. Mountcastle, whose forebears were pioneers in Eastern Tennessee. After finishing local public schools, he graduated from Carson-Newman College in Jefferson City in 1909, with a B.A. degree. He was a stellar baseball player at Carson Newman and throughout his life was an ardent follower of the sport. In 1912, he received his L.L.B. and Doctor of Jurisprudence degrees from the University of Chicago. Here he had been a classmate of another former colleague

In early summer, 1912, Mr. Mountcastle arrived in Oklahoma City and



ROBERT MILLIGAN MOUNTCASTLE

of our Board of Directors the late Honorable Kelly Brown, who, as a fellow student, enlisted Mr. Mountcastle's interest in far Oklahoma.

In early summer, 1912, Mr. Mountcastle arrived in Oklahoma City and was one of 208 attorneys admitted to practice in this state between May and August of that year. And, I believe that the distinguished veteran attorney, Mr. Roy Fry of Sallisaw, is the sole survivor of this large roster of Oklahoma attorneys who began their practice in 1912.

After his admission, Mr. Mountcastle, together with his widowed mother and only sister, settled in Ft. Gibson, and there entered the first of his two law partnerships in his career. His second partnership with our colleague, Mr. Q. B. Boydston, was at the suggestion of Judge Williams in 1919, in old Ft. Gibson. This partnership continued until 1928, when Mr. Boydston was elected to the State Legislature. Judge Mountcastle's first law partner, like Mr. Boydston, was also a distinguished and able attorney who came to Ft. Gibson in 1909, from his native state of Ohio, Earl H. Ortman.

Mr. Mountcastle, a life-long Democrat, was a leader in political affairs in Oklahoma. He was a friend of Eastern Oklahoma's long-time Congressman, W. W. Hastings, who in January, 1917, tendered to Mr. Mountcastle the office of Postmaster of our city. He served in this capacity, by means at least, throughout World War I, although in January, 1918, he volunteered as a private in the United States Army. Before the War ended he had attained the rank of sergeant and continued to serve overseas until he was honorably discharged in May, 1919. Upon his return to Oklahoma, former Governor Williams, then Federal Judge at Muskogee, appointed Mr. Mountcastle United States Commissioner, in which office he served the United States and the citizens of Eastern Oklahoma until 1939.

As an admirer and observer of his conduct and effort as a citizen and lawyer for over fifty years, it is my pleasure to attest that the long considered judgment of the Muskogee County Bar was that no lawyer consistently worked longer and harder in preparing his cases and no lawyer came to court better prepared than Mr. Mountcastle. His good habits inspired our younger attorneys. His energy and industry, as well as his business ability, earned for him the confidence and respect of citizens and top leaders in business and financial circles throughout Oklahoma.

No citizen of Muskogee County regarded our land and other natural resources better than this great lawyer. He was the owner of two fine bottom farms and a considerable amount of improved pasture land in eastern Oklahoma. He husbanded these land resources intelligently and successfully.

In departing this life, our good friend is survived by his wife, Margaret Haney Mountcastle, with whom he was united in marriage in Ft. Gibson on October 15, 1931. They together developed one of Oklahoma's finest historical ornaments, their home at the top of the Garrison in old Ft. Gibson.

Mr. Mountcastle's long and active professional and business career convinced his neighbors that here was a man of high principle who in early life had been taught that the best way to help others and the community at large, is to do one simple duty in one's proper sphere. Many will affirm that he was correct in this. We cannot rise in this world without helping others to rise. Just as it became a maxim to our friend, it all comes back to ourselves first. We ourselves must learn before we can teach others.

Mr. Mountcastle became a member of the Board of Directors of the Oklahoma Historical Society on October 28, 1943, and as its records disclose, he faithfully attended the quarterly meetings of the Board and contributed greatly to the success of the Society. May his good name and worthy deeds be held forever in respectful remembrance.

ANNUAL MEETING OF THE OKLAHOMA HISTORICAL SOCIETY

April 23, 1970

The Annual Meeting of the Oklahoma Historical Society was held in the Auditorium of the Oklahoma Historical Society Building, Thursday, April 23, 1970. President of the Society, George H. Shirk, called the meeting to order at 9:30 a.m.. The invocation was given by Rev. William Guilford.

President Shirk asked that he be allowed to change the order of the program, so that Governor Bartlett could make an early return to a meeting, now in progress, of the Oklahoma Turnpike Authority.

Mr. Patrick B. Lyons, General Manager of Western Electric Company, was introduced. Mr. Lyons gave a brief talk about the progress of Western Electric and its contribution to the progress of the Nation and to the State of Oklahoma.

On behalf of Western Electric Company, and in honor of the Company's Centennial, Mr. Lyons donated to the Oklahoma Historical Society, as Trustee for the State of Oklahoma, two paintings by Gene Stuart. The paintings, *Sign Language Bartering On The Chisholm Trail* and *The First Earth To Moon Phonecall*, depict the slow moving communications at the time of travel on the Chisholm Trail and the fast, modern communications between the earth and moon.

On behalf of the State of Oklahoma and the Oklahoma Historical Society, Governor Bartlett accepted these paintings from Western Electric Company and assured Mr. Lyons they would be displayed in the Oklahoma Historical Society Building for citizens of Oklahoma and other states to view.

Governor Bartlett announced that a collection of moon chips and an American Flag that landed on the moon on Apollo II were on display in the Capitol Building and would be moved to the Oklahoma Historical Society Building, at the proper time, to be displayed with the Flag and Okie Pin from the Apollo 10 flight.

Mr. Jim Finney, Colonel James F. Unger, and Gillett Griswold, members of the Fort Sill Centennial Commission, presented to Governor Bartlett an album containing all material relative to the Fort Sill Centennial Celebration. Governor Bartlett accepted the album as final report of the Fort Sill Centennial Commission and offered his thanks and congratulations for a job well done.

In a special presentation, Colonel Unger gave a Fort Sill Centennial Flag to President Shirk for his interest and continued support of the celebration.

President Shirk presented to Governor Bartlett a written report on the activities of the Oklahoma Academy for State Goals.

Mr. Earl Boyd Pierce gave a heart felt tribute to Mr. R. M. Mountcastle, longtime member of the Board of Directors of the Oklahoma Historical Society, who had recently passed away.

Mr. Fisher Muldrow moved that the membership approve the actions of the Board of Directors during the past year. Mr. Fuqua seconded the motion, which passed.

The meeting adjourned at 10:00 a.m.

MINUTES OF THE QUARTERLY MEETING OF THE
BOARD OF DIRECTORS OF THE
OKLAHOMA HISTORICAL SOCIETY

April 23, 1970

The regular quarterly meeting of the Board of Directors of the Oklahoma Historical Society was called to order by President George H. Shirk at 10:00 a.m. on Thursday, April 23, 1970.

Members answering roll call were: Mrs. Bowman, Mr. Boydstun, Mr. Curtis, Dr. Dale, Mr. Finney, Dr. Fischer, Mr. Fuqua, Mr. Harrison, Mr. Kirkpatrick, Mr. McIntosh, Dr. Morrison, Mr. Muldrow, Mr. Pierce, Miss Seger, and Mr. Woods.

Members absent were: Mr. Allard, Mr. Bass, Mr. Foresman, Dr. Gibson, Judge Hefner, Mr. McBride, Mr. Miller, and Mr. Phillips. Mr. Muldrow moved that all asking to be excused from the meeting should be excused. The motion, which passed, was seconded by Miss Seger.

Administrative Secretary, Elmer L. Fraker, reported a considerable number of gifts had been received and many applications for membership had been made. Mr. McIntosh moved that the gifts and memberships be approved and accepted by the Board. The motion was seconded by Dr. Fischer and passed by the Board.

Mrs. Bowman, Treasurer, gave her report. Mr. Harrison moved that the Treasurer's report be accepted as a true and correct statement of financial condition. The motion was seconded by Mr. Kirkpatrick and carried when voted upon.

In regard to historic sites, the following reports were made by Mr. Fraker upon being requested to do so by Mr. McIntosh.

1. Territorial Museum at Guthrie—received \$25,000 for the coming year. Plans are being developed for restoration.

2. McCurtain Home—this is a new site located near Kinta in Haskell County.

3. Langston University—this is a new project in which the Historical Society will assist in setting up a cultural and historical center on the campus.

4. Wigwam Neosho—an appropriation set up for this site. The money will be used to purchase the original site. If that site is not found and agreed upon by competent authorities, the appropriation will not be expended.

5. Fort Towson—a slightly larger appropriation for the new year was made to further develop this site.

It was further reported by Mr. Fraker that two new curator's residences are being built: One at the Peter Conser Site and the other at Sequoyah's Home.

In his report for the Fort Washita Committee, Dr. Morrison announced that the old bake oven at the Fort is being restored. He also said that Mr. and Mrs. Colbert, who live in the house at Fort Washita, are doing a good job as watchguards.

In the absence of Mr. McBride, Miss Wright, Editor of *The Chronicles of Oklahoma*, reported the reason for the Winter 1969-70 issue being so late was due to an error on the printers' part. Future issues should arrive more nearly on schedule.

Although Mr. Curtis did not have a Library Committee report to make, he moved that the tribute made by Earl Boyd Pierce to Mr. R. M. Mountcastle, given in the Annual Meeting, be published in the next issue of *The Chronicles*. This motion was seconded by Dr. Fischer and passed unanimously.

As chairman of the Museum Committee, Dr. Fischer reported the committee had met and drafted a list of four recommendations, which had been presented to the Administrative Secretary, to-wit:

1. Insuring the Charles Banks Wilson exhibit.
2. A 24-hour guard placed on duty in the Society Building.
3. Fumigation of the display and storage areas of the Museum.
4. Employment of an exhibits and interior expert.

Mr. Fraker told the Board that each of the recommendations were under consideration. Financing, he said, poses a problem. Insurance for the Charles Banks Wilson exhibit has been secured; correspondence and considerable discussion with members of the State Board of Public Affairs has been had in regard to a 24-hour guard; bids are being taken on the fumigation of the Museum; and it is hoped that an assistant to Mr. Pope can be hired after the first of July.

In the matter of the Burkhart Estate, Mr. Shirk reported that another man claiming to be a common-law husband of the late Mrs. Burkhart had intervened in the litigation. After discussion of the situation, Mr. Harrison moved that President Shirk be authorized to continue the legal action being taken in this matter, and the items, if possible, now in the house be put in storage for safe keeping until the suit is settled. Mr. Woods seconded the motion which passed.

Reporting on the progress of the sale of Oklahoma land plots at Harrod's in London, Mr. Shirk announced that Mr. "Dode" McIntosh would act as official registrar. He asked for a formal resolution from the Board of Directors appointing Mr. McIntosh to this position. Mrs. Bowman proposed a resolution appointing Mr. McIntosh as the Official Registrar for the Oklahoma Historical Society at Harrod's. This motion was seconded by Mr. Pierce and passed by the Board.

RESOLUTION

WHEREAS the Oklahoma Historical Society, in conjunction with Harrod's of London, is selling Indian Nations Memorial Survey plots through Harrod's of London; and

WHEREAS it is found to be expedient to have someone representing the Oklahoma Historical Society at Harrod's in London in an advisory capacity

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Oklahoma Historical Society in regular session assembled on this 23rd day of April, 1970, that W. E. "Dode" McIntosh, a member of the Board of Directors of the Oklahoma Historical Society, be designated as the Official Registrar for the Society in London.

ELMER L. FRAKER,
Administrative Secretary

GEORGE H. SHIRK,
President

In reporting further on this project, Mr. Shirk stated that the Society would net \$4.80 on each deed that is sold.

Mr. Pierce moved that President Shirk be commended by the Board for his untiring devotion to this project and that he be requested to go to London in August, 1970, as the official representative of the Society in the furtherance of the project. This motion was seconded by Mr. McIntosh and unanimously adopted by the members.

In reporting on work at Honey Springs, Dr. Fischer stated that physical work is about to begin. Rebuilding and restoration of the station and powder house will begin in a few weeks. Also, a parking area will be built.

Mr. Fraker reported a change in the route of the 1970 Annual Tour. Instead of visiting the Kerr-McGee uranium facilities, a stop will be made

at the Yukon Flour Mills. He stated that Mr. Foresman, Mr. McIntosh, and Mr. Harrison had taken the responsibility for the stops and arrangements in Tulsa.

In regard to the matter of the Overholser House, as set out by action of the Board, October 24, 1968, Mr. Shirk said there would be no capital outlay from the Historical Society for acquisition costs. He stated that the Oklahoma Historical Society is eligible for a Federal Grant through H.U.D. and the American Institute of Architects would furnish the remainder. A.I.A. has agreed to furnish \$60,000 with the provision that the Oklahoma Historical Society secure a matching grant from H.U.D. Making a total of \$120,000 for the restoration and preservation of the Overholser House.

The Historical Society would buy the home and lease it to the A.I.A. for \$1.00 per year. The A.I.A. would take the responsibility for the routine maintenance of the home. Mr. Harrison moved that the President be authorized to sign an application for a grant in the amount of \$100,000 from The Department of Housing and Urban Development, and that a Resolution entitled:

RESOLUTION

A RESOLUTION AUTHORIZING AN APPLICATION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR AN URBAN HISTORICAL PRESERVATION GRANT FOR THE PURCHASE OF THE HENRY OVERHOLSER MANSION, LOCATED IN THE CITY OF OKLAHOMA CITY, OKLAHOMA, AND DIRECTING THAT SAME BE SUBMITTED TO THE APPROPRIATE METROPOLITAN AND STATE REVIEW AGENCIES AS REQUIRED BY BUREAU OF THE BUDGET CIRCULAR A-95.

be adopted, and further if the grant be obtained and the property purchased it be leased to the A.I.A. for \$1 per year under a form of lease to be negotiated by Mr. Shirk and Mr. Fraker. The motion was seconded by Dr. Fischer, and upon a vote was adopted without dissent.

Mr. Shirk stated that the State Archives Project of restoring and sorting old papers had been finished and termed it a success. The station house has been turned back to the Rock Island Railroad. A motion was made by Mr. Curtis that a resolution of thanks be written and presented to the Rock Island and Frisco Railroad Companies for the use of the station. Dr. Fischer seconded the motion and it was passed by the Board.

President Shirk pointed out that S.J.R. #27 gives land to the Oklahoma Historical Society and directs the Society to lease it to the Oklahoma Memorial Association with the condition that the Association build thereon a building comparable to the Oklahoma Historical Society building to house the portraits of people in the Hall of Fame. He said that it is the responsibility of the Board of Directors of the Oklahoma Historical Society to draw up the conditions of the lease. In regard to this, Mr. Shirk appointed a committee of Mr. Curtis, Chairman, with Mr. Finney and Mr. Foresman to work the Memorial Association in whatever manner required.

It was moved by Mr. Muldrow that the Oklahoma Historical Society express their cooperation to the Oklahoma Memorial Association and that a special account to handle the monetary gifts for the building of a Memorial Association building be established. Dr. Fischer seconded the motion, which passed.

President Shirk read a letter from Judge William J. Holloway, Jr., expressing gratitude and appreciation from the Holloway Family on the Resolution adopted by the Board of Directors at the death of Governor William J. Holloway. Mr. Muldrow moved that Judge Holloway's letter be made an official part of the Minutes. This motion was unanimously agreed upon by the members.

Mr. George H. Shirk
President
Oklahoma Historical Society
Oklahoma City, Oklahoma 73105

Dear Mr. Shirk:

For all our family and myself, I want to express our appreciation for the generous letter and Resolution adopted by the Board of the Oklahoma Historical Society in memory of my Father.

My Father did have a great interest in the Oklahoma Historical Society and its important function in recording and preserving the treasures of Oklahoma history for the generations to come. It is an especially nice tribute to him that the Society memorialized him so very generously by its Resolution.

Our family will always treasure the Resolution, and we wish to express our deep appreciation to you and all the Board for it.

Sincerely,
William J. Holloway, Jr.

In regard to a proposed constitution change, Mr. Shirk appointed Mr. McBride as Chairman, with Mr. Pierce and Mr. Woods as a committee to review the Constitution of the Society and decide if any amendments should be presented to the membership at the 1971 Annual Meeting.

The Administrative Secretary was asked to have the outer cover of the Constitution reprinted with an up-to-date list of officers, directors, and committees.

Mr. Fraker made a brief summary of expenditures from the Bond Money and asked that approval be given on these expenditures. A motion to that effect was made by Mr. Muldrow and seconded by Dr. Fischer. When put to a vote, the motion was passed.

In regard to the rundown condition of the barracks building at Fort Gibson, Mr. Pierce was appointed by the Board to assume responsibility in the local community as custodian and to see what steps could be taken to improve the condition of the building.

Mr. Woods moved, with a second by Dr. Fischer, that the Oklahoma Historical Society present a Resolution to Western Electric Company thanking them for the donation of the two paintings presented at the Annual Meeting. This motion passed.

RESOLUTION

WHEREAS the Western Electric Company, through Patrick B. Lyons, has presented to the Oklahoma Historical Society two paintings, *Sign Language Bartering On The Chisholm Trail* and *The First Earth To Moon Phonecall*, by Gene Stewart; and

WHEREAS these paintings are of great artistic and historic value

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Oklahoma Historical Society in regular meeting assembled on this 23rd day of April, 1970 does herewith extend its most sincere thanks and appreciation to Mr. Lyons and the Western Electric Company for this fine contribution to the Oklahoma Historical Society collections.

State Senator Denzil D. Garrison, of Bartlesville, was nominated by Mr. Muldrow to fill the vacancy created by the death of Mr. R. M. Mountcastle. After discussion and consideration of area representation on the Board, Mr. Garrison was elected unanimously to the Board of Directors of the Oklahoma Historical Society.

There being no further business, the meeting was adjourned at 12:25 p.m.

ELMER L. FRAKER,
Administrative Secretary

GEORGE H. SHIRK,
President

GIFTS RECEIVED IN FIRST QUARTER, 1970

LIBRARY:

Thesis: *Theatrical Activities in Oklahoma City from 1889 to 1964* by K. Kay Brandes, 1965.

Donor: John Sinopoulo and Morris Loewenstein, Oklahoma City.

Our Cox Family—The Direct Ancestors and the Descendants of William Addison Cox (1842-1919) Whose Wife Was Sally Ann Smith (1840-1915) by Earl Weaver, June 1969.

Our Weaver Family—The Ancestors and Descendants of John Weaver (1813-1893) Whose Wife Was Nancy Cornwell (1815-1870) by Earl Weaver, June 1968.

Donor: J. W. Weaver, Stillwater, Oklahoma

Racial and Ethnic Employment in the Merit System—State of Oklahoma—Oklahoma Human Rights Commission.

Donor: William Y. Rose, Director, Oklahoma Human Rights Commission, Oklahoma City.

An Indian-Mexican House Type in Sonora, Mexico by George E. Fay, Series 5, 1969.

The Changing Status of Women in the Middle East—A Statement of Cultural Change by Marion Milhayl, Series 6, Nov. 1969.

Donor: Museum of Anthropology, Colorado State College, Greeley, Colorado.

A Comparison of Formative Cultures in the Americas by James A. Ford, 1969.

Donor: Smithsonian Institution, U. S. National Museum, Washington, D. C.

Raymond Family Genealogy, Vol. I, by Samuel Edward Raymond, 1969.

Andrew Ford Descendants, Part I, By Elizabeth C. Stewart.

Pearce Pioneers in Kentucky by Marvin J. Pearce, Sr., El Cerrito, California, 1969.

Donor: Authors by Oklahoma Department of Libraries, Oklahoma City.

The Horton Site Revisited, Sequoyah County, Oklahoma by Don C. Wyckoff, 1970.

Donor: Oklahoma Archaeological Survey, Norman, Oklahoma.

The Robinson-Solesbee Site, Robert S. Kerr Reservoir, Eastern Oklahoma by Robert E. Bell, Gayle S. Lacy, Jr., Margaret T. Joscher and Joe C. Allen, 1969.

The Lawrence Site, Nowata County, Oklahoma by Jane Baldwin, 1969.

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United States Spanish War Veterans Department of Oklahoma Pension Legislation pamphlet, April 20, 1933.

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Index of 1850 U. S. Census St. Louis and St. Louis County, 1969, St. Louis Genealogical Society.

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Jeannin Gaume by Mrs. E. O. Price.

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Genealogical Newsletter, Vol. 8, Nos. 1-4, 1962.

Telephone Directory: Council Bluffs, Iowa, August 1963.

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Happy Hunting Grounds, Lee County Genealogical Society, Iowa, 1969.

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South African Scope, Oct. 1969.

Oklahoma Canadian, Sept. 1969.

About Manitoba.

Donor: Oklahoma Genealogical Society, Oklahoma City.

PHOTOGRAPHS DEPARTMENT:

Land Office at Guthrie, copy of a Prettyman photograph.

Oklahoma City Chamber of Commerce Band, 1904.

Anadarko Indian Parade.

Two unidentified Indians in tribal dress at Anadarko.

The Run of Sept. 16, 1893—actual photograph.

The Run of Sept. 16, 1893—a retouched sketch of actual photograph.

Mock attack on covered wagon—otherwise unidentified.

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Hopper and tub—Hildebrand's (Beck's) Mill near Flint, Oklahoma, 1969. Polaroid black and white.

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Thompson Mill—relocated 3 miles east of original site, Adair County, 1969. 35 mm. negative.

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Henry B. Bass *News Letters*—Jan. 15, Feb. 15 and Mar. 15, 1970.

Docketing Statement in case George Groundhog, et al v. W.W. Keeler, Walter J. Hickel, etc., No. 69-C-120 in U. S. Court of Appeals.

The Amerindian, Jan.-Feb. 1970

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Texas Libraries, Fall 1969 and Winter 1969

Donor: Texas State Library

Reprint "Cherokee History to 1840: A Medical View" by R. Palmer Howard, M.D.

Donor: R. Palmer Howard, M. D., Oklahoma City

The West, March 1970

Donor: Wayne Walker, Joplin, Mo.

Oklahoma Genealogical Quarterly, March 1970

Donor: Oklahoma Genealogical Society, Oklahoma City

Oklahoma City Indian News, Jan. 25, 1970

"The Great Flood," a Choctaw Story, by Will T. Nelson

Donor: Will T. Nelson, Oklahoma City

Minutes quarterly meeting Inter-Tribal Council Five Civilized Tribes held Feb. 6, 1970.

Donor: Muskogee Area Office, Muskogee, Okla.

Minutes meeting Executive Committee Cherokee Tribe of Oklahoma held Jan. 31, 1970.

Donor: Cherokee Nation of Oklahoma, Tahlequah, Okla.

From Indian Claims Commission:

Ft. Sill, Chiracahua, Warm Springs Apache Tribe and Navajo Tribe vs. U.S., Docket Nos. 30 and 48 and 229: Findings of Fact; Opinion; Interlocutory Order.

Blackfeet & Gros Ventre Indians; Assiniboine & Sioux Tribes, Intervenor vs. U. S., Docket No. 279A: Order allowing attorney's reimbursable expenses; Order dismissing cause of action.

Cherokee Nation and Cherokee Freedmen, et al. vs. U. S., Docket No. 173A: Findings of Fact; Opinion; First Interlocutory Order; Order Denying Intervenor's Motion for a Summary Judgment.

Saginaw Chippewa Tribe of Michigan, et al & Red Lake Band, et al vs. U. S., Docket No. 57 and 18-G: Order admitting Exhibits; Findings of Fact; Opinion.

Duwamish Tribe v. U. S., Docket No. 109: Findings of Fact re application by attorneys for allowance of compensation and expenses; order allowing attorney fee and reimbursable expenses.

Three Affiliated Tribes of Fort Berthold Reservation v. U. S., Docket Nos. 350A, E and H: Findings of Fact on Award of attorneys fee; Order allowing attorneys fee.

Havasupai Tribe of Arizona v. U. S., Docket No. 91; Order allowing Attorney fees and reimbursable expenses.

Iowa Tribe of Kansas and Nebraska and Sac & Fox Tribe of Okla. v. U. S., Docket No. 153: Findings of Fact; Opinion; Final Award.

Kickapoo Tribe of Kansas v. U. S., Docket No. 317: Final Award.

Kickapoo Tribe of Oklahoma v. U. S., Docket No. 318: Order allowing Attorneys fees.

Kickapoo Tribe of Kansas & Oklahoma, et al v. U. S., Docket No. 193: Order allowing attorneys fees.

Kiowa, Comanche & Apache Tribes v. U. S., Docket No. 259-A: On motion of defendants to dismiss or require plaintiffs to make petition more definite and certain; Order denying motion to dismiss or to make more definite and certain.

Miami Tribe of Okla., et al; Ira Sylvester Godfrey, et al and Peoria Tribe of Oklahoma and Amos Skye on behalf of Wea Nation, v. U. S., Docket Nos. 253, 131, 314-D: Motion of Commission for severance and reconsideration; Order denying motion for severance and reconsideration.

Peoria Tribe of Oklahoma on behalf of Wea Nation v. U. S., Docket No. 314-c: Final Award.

Peoria Tribe on behalf of Piankeshaw Nation v. U. S., Docket No. 99: Final Award.

Citizen Band of Potawatomi Indians of Oklahoma v. U. S., Docket No. 96: Order allowing attorneys reimbursable expenses.

Pueblo of Taos v. U. S., Docket No. 357: Order granting leave to amend petition and to file additional petition.

Sac & Fox Tribe of Oklahoma, Iowa Tribe of Kansas and Nebraska, et al. v. U. S. Docket Nos. 158, 209, 231: Order denying plaintiff's motion to rehear and for other purposes.

Seminole Indians of Florida v. U. S., Docket No. 73-A: Opinion on Motion to strike; Order directing documents to be filed.

Donor: Indian Claims Commission, Washington, D. C.

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Copy of framed Soldier's Record, Civil War period.

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Donor: Capitol Medal Company, High Point, North Carolina.

1969 automobile license plate, Oklahoma.

Donor: Martha R. Blaine, Oklahoma City, Oklahoma.

Shingle from roof of Chickasaw Council House; dowel pin from old stage coach inn at Silver City in Grady County; wrench for John Deere cultivator, 1914 model, from Lincoln County; weight used in weighing cotton.

Donor: Rev. Frank W. Sprague, Midwest City, Oklahoma.

Automobile plate, silver medal, and bronze medal commemorating Centennial of Fort Sill.

Donor: W. D. Finney, Fort Cobb, Oklahoma.

Railroad spike from early French railroad at Panama canal; 1912 Kodak "vest pocket" camera, with case.

Donor: C. O. Huber, Oklahoma City, Oklahoma.

46-star American flag, owned by donor's father, and later by his sister.

Donor: C. S. Harrah, Oklahoma City, Oklahoma.

Wooden shovel, from Pennsylvania, belonged to donor's great-great-grandfather.

Donor: Harry E. Riley, Moore, Oklahoma.

Advertisement card, 19th century.

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Scroll presented to the people of Oklahoma by the 1st Battalion, 7th Artillery, Bienhoa, Republic of Vietnam, December 25, 1965, in appreciation for program to airlift Christmas gifts to Oklahoma servicemen in Vietnam.

Donor: Governor's Office, Oklahoma City, Oklahoma.

World War I items which belonged to donor's father, including uniform; issues of "Stars & Stripes;" helmets; souvenirs; and other articles; Xerox copy of letter written by donor's father to his father at close of the war.

Donor: Mildred H. Curtis, Oklahoma City, Oklahoma.

(Governor's House Exhibit)

Gold watch and chain which belonged to the first Territorial Governor, George W. Steele.

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(Peter Conser Home Museum)

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Seller: Mrs. Angie Thayer, Poteau, Oklahoma

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Seller: M. E. Qualls Furniture & Appliance, Poteau, Oklahoma.

Feather bed; pie safe.

Seller: J. C. Stringer Furniture Store, Heavener, Oklahoma.

Rocking chair.

Seller: Jenson Furniture Co., Poteau, Oklahoma.

Oaken water bucket; iron teakettle; iron bean pot.

Seller: Powell's Trade Center, Poteau, Oklahoma.

Glass salt dish.

Donor: Mrs. Ethel Smith, Cameron, Oklahoma.

Singer sewing machine, early 20th century.

Donor: Mrs. Lena Kelly, Hodgens, Oklahoma.

(Territorial Museum)

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Donor: Magnolia Lodge, #23, I.O.O.F., Mulhall, Oklahoma, by Mr. Perry Stephenson, Head Trustee.

Black stove pipe hat, worn by Dr. Vandever in Washington; portraits of Dr. and Mrs. Vandever; biography; household items; articles of clothing.

Donor: Mr. and Mrs. R. O. Seeds, Guthrie, Oklahoma.

Photographs; linens; articles of clothing; books; Bibles; loving cups; other items of the Acton family.

Donor: Mrs. Glen Woods, Enid, Oklahoma.

(Poteau Runestone site)

Bronze replica of the Poteau runestone placed on the site where the original stone, now on display in the Kerr Museum, was found.

Donor: Mr. Earl Syversen, Sebastopol, California.

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The Oklahoma Historical Society was organized by a group of Oklahoma Territory newspaper men interested in the history of Oklahoma who assembled in Kingfisher, May 27, 1893.

The major objective of the Society involves the promotion of interest and research in Oklahoma history, the collection and preservation of the State's historical records, pictures and relics. The Society also seeks the co-operation of all citizens of Oklahoma in gathering these materials.

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COVER: Wyandotte Mission, photographed in 1876, was established after the Civil War by the Quakers. It became a well-known school in the Quapaw Agency region of northeastern Indian Territory. The Mission was known as the Seneca Indian Boarding School near the post office of Wyandotte, Oklahoma, where several commodious buildings still mark the site.

CHRISTIAN GOTELIEB PRIBER: UTOPIAN PRECURSOR OF THE CHEROKEE GOVERNMENT

By Rennard Strickland*

INTRODUCTION

The names Brook Farm,¹ New Harmony,² and the Oneida Perfectionist Community conjure up pictures of an age when Emerson reported that "not a reading man but has a draft of a new community in his waistcoat pocket."³ The American experiments in utopian socialism, reflected in the idealistic communities which sprang up during the first half of the 19th Century, were not unique. The spirit of reform which infected these zealots had long inspired Europeans with dreams of a perfect society based upon the "natural order of the noble savage."⁴

Students of Cherokee government are in agreement that one of the earliest of these experiments—"The Kingdom of Paradise"—was most influential in shaping the concept of laws emerging among the Cherokee tribesmen.⁵ However, the story of the King-

* Professor Strickland is a Fellow in Legal History of the American Bar Foundation. He wishes to acknowledge the financial assistance which the American Bar Foundation has provided for his research in Cherokee legal institutions. Dr. Strickland is currently a member of the faculty of the University of West Florida, Pensacola, Florida.

¹ See Henry W. Sams (ed), *Autobiography of Brook Farm* (Englewood Cliffs: Prentice, Hall, 1958).

² A complete bibliography of the materials on New Harmony may be found in William E. Wilson, *The Angel and the Serpent: The Story of New Harmony* (Bloomington: Indiana University Press, 1964), Appendix I.

³ Allan Nevins, "On To Utopia," in Richard M. Ketchum (ed), *The American Heritage Book of the Pioneer Spirit* (New York: American Heritage Publishing Company, 1959), p. 249. A selective listing of such communities and an excellent bibliography of utopian literature is Donald D. Egbert and Staw Persons (eds), *Socialism and American Life* (Princeton: Princeton University Press, 1952).

⁴ The European image of the new world as a "perfect society" is reflected in much of the literature of the 17th and 18th centuries.

⁵ See especially John Dickson, "The Judicial History of the Cherokee Nation From 1721 to 1835" (Unpublished dissertation, Ph.D, University of Oklahoma, 1964) pp. 8-10. Priber's experiment is considered by Lester Hargrett to be the beginning of the evolution of the Cherokee legal system away from clan revenge to a modern Anglo-American based system.—Lester Hargrett, *A Bibliography of the Constitutions and Laws of the American Indians* (Cambridge: Harvard University Press, 1947), p.4. But see generally Thomas Lee Ballenger, "The Development of Law and Legal Institutions Among the Cherokees," unpublished dissertation, Ph.D, University of Oklahoma, 1938. Wardell considers Priber "an influence on Cherokee nationalism." Morris Wardell, *A Political History of the Cherokee Nation, 1838-1907* (Norman: University of Oklahoma Press, 1938), p. 34.

dom and the Utopian precursor of Cherokee government is almost unknown.

Early in 1736, an obscure European named Christian Gotelieb Priber left Charles Town to live among the Cherokee Nation of Indians in what is today the state of South Carolina. On this wilderness frontier amidst growing French-English rivalry, Priber united the Cherokees into an Indian state which he called "The Kingdom of Paradise" and which he asserted would lead "to an establishment, in France, of a republic . . ." ⁶ In 1743 when the English placed Priber in a Georgia prison, "the empire . . . was on the point of rising into a . . . state of puissance, by the acquisition of the Muskohge, Choktah, and the Western Mississippi Indians." ⁷

Among the scholars who have studied this Kingdom of Paradise and Christian Priber, there is sharp disagreement. Priber is seen as "a backwoods utopian who, in the fourth decade of the eighteenth century, imported into the American wilderness the most radical current European social and political philosophy." ⁸ Others have viewed him as a "French agent . . . infiltrating from the west . . . to divert the Cherokees from a formal alliance with the English Crown." ⁹ Finally, his ideas have been seen as "planning to set up in America two hundred years ago a civilization strikingly like that proposed for Soviet Russia." ¹⁰

⁶ Antoine Bonnefoy, "Journal" in Samuel Cole Williams (ed), *Early Travels in the Tennessee Country* (Johnson City, Tennessee: The Watauga Press, 1928), p. 155.

⁷ Samuel Cole Williams (ed), *Adair's History of the American Indians* (Johnson City, Tennessee: The Watauga Press, 1930), p. 242. Cited hereafter as Adair.

⁸ Verner W. Crane, "A Lost Utopia of the First American Frontier," *The Sewanee Review Quarterly*, Vol. XXVII (1919), p. 49.

⁹ Marion L. Starkey, *The Cherokee Nation* (New York: Alfred A. Knopf Company, 1946), pp. 13, 29. See the excellent discussion by Henry T. Malone, *The Cherokees of the Old South* (Athens: University of Georgia Press, 1956), pp. 26-27, 191n. Note the arguments developed in R. S. Cotterill, *The Southern Indians: The Story of the Civilized Tribes Before Removal* (Norman: University of Oklahoma Press, 1954), p. 26; Chapman J. Milling, *Red Carolinians* (Chapel Hill: The University of North Carolina Press, 1940), p. 184; James Mooney, "Myths of the Cherokees," 19th *Annual Report, Bur., American Ethn.*, (Washington: 1900), pp. 15, 36-37; Charles C. Royce, *The Cherokee Nation of Indians*, 5th *Annual Report, Bur. of American Ethn.*, (Washington: 1887), p. 5; Emmet Starr, *Early History of the Cherokees* (Private Printing for the author, 1917), pp. 10, 38-40; Jack Gregory and Rennard Strickland (eds), *Starr's History of the Cherokees* (Fayetteville, Arkansas: Indian Heritage Association, 1967), p. 24; Robert Sparks Walker, *Torchlight to the Cherokees* (New York: The MacMillan Company, 1931), pp. 5, 6; and Grace Steel Woodward, *The Cherokees* (Norman: University of Oklahoma Press, 1963), p. 68.

¹⁰ H. Salpeter, "Lost Utopia! Priber's Communist Mission to the Cherokee Indians," *Freeman*, VII (1923), pp. 253-255; Herbert R. Sass, *Hear Me, My Chief!* (New York: William Morrow and Company, 1940), pp. 77-79.

Those who have viewed Priber as "a spiritual descendant of Plato and the *Republic*, of Sir Thomas More, of Campanella, and a precursor of Rousseau" have examined the proposed Kingdom of Paradise without adequate consideration of the institutions of the Cherokee Indians among whom the Kingdom was first established.¹¹ While those who have seen Priber as an agent "the French sent into South Carolina . . . to transmit them a full account of . . . the Cherokee Nation, in order to seduce them from the British to French interests" seem to have reported the details of his plans without considering Priber's philosophical purposes or justifications.¹²

The broad philosophical basis of the Kingdom of Paradise has never been evaluated in terms of the political and social structure of the Cherokee Indians. The author is attempting to accomplish this by examining Priber's Kingdom of Paradise within the context of 18th Century Cherokee tribal practices and customs. Such a study would, no doubt, have been completed long ago if Priber's manuscript describing the Kingdom had not disappeared.¹³

The Utopian manuscript is described in a letter which appeared in the *South Carolina Gazette*, August 15, 1743:¹⁴

There was a book found upon him of his own writings ready for Press, which he owns and glories in, and believes it is by this Time privately printed, but will not tell where; it demonstrates the manner in which his citizens are to be subsisted, and lays down the Rules of Government which the town is to be governed by; to which he gives the title Paradise; the book is drawn up very methodically, and full of learned Quotations; it is extremely wicked, yet has several Flights Full of invention, and it is a Pity So Much Wit is applied to so bad a purpose.

The manuscript notes for this book are thought to have survived until 1755, but neither the notes nor the private printing have since been located.¹⁵

Secondary sources must therefore be used to reconstruct Priber's Kingdom. The difficulty of obtaining reliable accounts is

¹¹ Crane, *op. cit.*, p. 49. Consider Professor Crane's excellent history of the Southern colonial frontier in which he develops a number of Indian influences, Verner W. Crane, *The Southern Frontier, 1670-1732* (Durham: Duke University Press, 1929).

¹² Adair, *op. cit.*, p. 240.

¹³ Frans M. Olbrechts complained that "Cherokee manuscripts and material on the Cherokee language have a most uncanny propensity to get lost." In addition to Priber's philosophical text, a "dictionary of Christian Priber has never been heard of since it reached Frederica, Georgia probably in 1741." Frans M. Olbrechts (ed), "The Swimmer Manuscript." *Bulletin* 99, Bur. of American Ethn. (Washington: 1932), p. 1.

¹⁴ Letter, *South Carolina Gazette*, Monday, August 15, 1743.

¹⁵ Adair, *op. cit.*, p. 243.

compounded by the fact that few "thinkers have found stranger chroniclers of their lives and opinions."¹⁶ Ludovick Grant, a trader who had married into the Cherokee tribe, recounted his experiences with Priber in response to the command of a Charleston Probate Court that he set forth "any thing relative to any surrender or sale of Cherokee land."¹⁷ Antoine Bonnefoy, French *voyageur*, kept a diary while he was a prisoner of the Cherokees and visited in Priber's cabin.¹⁸ James Adair, a trader for forty years with the Cherokees and Chickasaw Indians, wrote the longest account.¹⁹ The two remaining accounts are in the form of anonymous letters; one written under the pen-name "Americus" to Dodsley's *Annual Register* and another unsigned to the *South*

¹⁶ Crane, *op. cit.*, p. 50.

¹⁷ The author was first introduced to Grant through Talihina Rogers, the Cherokee wife of General Sam Houston, who was descended from Grant and his Indian wife. See generally Jack Gregory and Rennard Strickland, *Sam Houston with the Cherokees, 1829-1833* (Austin: University of Texas Press, 1967), pp. 32-40. As a trader among the Cherokees, Grant seems to have had few equals. His marriage to Susannah Emory, a three-quarters white granddaughter of an important Cherokee chief, placed him as a leader of Cherokee society. The traditional account of Grant's life is found in Gregory and Strickland, *Starr's History of the Cherokees*, pp. 20, 305, 466-467. A documentary account is found in John Richard Alden, *John Stuart and the Southern Colonial Frontier* (Ann Arbor: University of Michigan Press, 1944), p. 169.

¹⁸ Bonnefoy describes the nature of his relationship with Priber. "I had occasion to ask the German . . . what he wished me to understand. I prayed him to explain to me what was this happiness which he promised us. I told him as did my comrades, that we were disposed to join him as soon as he should have shown us some security respecting his establishment. My comrades and I planned our flight, and agreed to feign enthusiasm for the execution of the project . . ."—Bonnefoy, *op. cit.*, pp. 155, 157.

¹⁹ Adair was pictured by Indian Commissioner Major William Pinckney as "a great villain" who benefited from "unrest in the Indian nations." Wilbur R. Jacobs (ed), *Indians of the Southern Colonial Frontier: The Edmund Atkins Report and Plan of 1775* (Columbia: University of South Carolina Press, 1954), p. xxi. This is not a universal view of Adair whose account is one of the basic documents on early Southern Indian life. Thomas Field has noted that Adair was one "of a great number of writers whose imaginations have been struck by the astonishing coincidence of many particulars of the customs and religious rites of some of the American Nations with those of the Jews." He concludes that "the relations of an intelligent observer (as this Indian seems to have been), for so long a period as forty years, of the peculiarities of the Southern Indians, among whom he resided for that period, is not without great value; although we should have reason to hold it in still greater esteem, had the author cherished no favorite dogma to establish, or detested any which he wished to destroy." Thomas W. Field, *An Essay Towards An Indian Bibliography* (New York: Scribner, Armstrong and Company, 1873), p. 3.

Carolina Gazette.²⁰ Comparing and contrasting these accounts, a suprisingly detailed picture of Christian Priber and his Kingdom of Paradise can be reconstructed.

THE MYSTERIOUS CHRISTIAN GOTELIEB PRIBER

To both historians and philosophers Christian Gotelieb Priber has been "a mysterious and controversial subject."²¹ The mystery surrounding him extends even to the name by which he is known. To James Adair, this man was simply "one Priber" and Pryber.²² In the Americus account for the *Annual Register*, the name is Preber²³ but to the government of colonial South Carolina the name was a scholarly "Dr. Priber."²⁴ Albert Bonnefoy knew him as Prive Albert or Pierre Albert.²⁵

However, there is common agreement among the early observers that "Pryber . . . called himself a German." All report his background and education exactly as described by Bonnefoy: "He told me that, being of good family, he had been instructed in all that a man ought to know; that after having completed his studies, he had learned English and French; that he spoke these two languages with little difficulty so far as the pronunciation was concerned, but that he wrote German, Latin, English and French with equal correctness . . ." ²⁶

Each of the accounts note that "he had read much, was conversant in most arts and sciences; but in all greatly wedded to systems and hypothesis."²⁷ Grant thought him "a great scholar"²⁸ and Americus concluded that "had nothing else been my reward,

²⁰ Even the *Annual Register* seems to question this account. The article is prefaced with the statement: "We do not know what degree of credit the following account may deserve, nor how the extraordinary effects contained in it are authenticated; but the narrative, though in appearance somewhat romantic is extremely curious, and as such an uncommon mixture of philosophy and enthusiasm, we think it well worthy a place in our collection." —Americus, "Characters," *Annual Register . . . of the Year 1760*, Vol. VI (London: J. Dodsley, 1790). The *South Carolina Gazette* account appeared August 15, 1743.

²¹ Malone, *op. cit.*, 191.

²² Adair, *op. cit.*, p. 240.

²³ Americus, *op. cit.*, VI.

²⁴ *South Carolina Journal*, 1738-39.

²⁵ Bonnefoy, *op. cit.*, p. 155.

²⁶ Bonnefoy, *op. cit.*, pp. 156-157.

²⁷ Americus, *op. cit.*, p. 24.

²⁸ Grant, *op. cit.*, p. 59.

the pleasing entertainment his conversation imparted would have been a sufficient recompense."²⁹

While neither Adair nor Bonnefoy described Priber, the author of the letter in the *South Carolina Gazette* thought him to be "a little ugly man."³⁰ However, Americus remembered him as "a short dapper man, with a pleasing open countenance, and a most penetrating look."³¹ One modern author has thought "Priber was small, plump and rather ugly." In fact, "he had neither the majesty of a Jupiter nor the charm of an Apollo; you wouldn't have said that he was . . . the man to undertake remodeling of the world" and yet "he seems to have a certain amount of 'personality' that came with a smile and shone out of his eyes . . . full of courage, humor, and shrewdness . . ."³²

Such a general estimation of Priber's "personality" is based upon more than the vivid imagination of a short story writer. Adair, Grant, Bonnefoy and Americus expressed great admiration for Priber.³³ Consider the nature of "one Priber" of whom Americus wrote:³⁴

The philosophical ease, with which he bore his confinement, the communicative disposition he seemed possessed of, and his politeness, which dress, or imprisonment could not disguise, attracted the notice of every gentleman of Frederica, and gained him the favour of many visits and conversations. His economy was admirable; from his allowance of fish, flesh, and bread, he always spared, till he had by him a quantity on which he could regale, even with gluttony, when he allowed himself that liberty. "It is folly," he would say, "to repine at one's lot in life—my mind soars above misfortune—in this cell I can enjoy more real happiness, than it is possible to do in the busy scenes of life.

Bonnefoy reports that Priber had "said in French that he was sorry for the misfortune which had come upon" them but that he hoped the capture would prove to be "happiness . . . in society."³⁵ Even a group of English soldiers who had been sent to capture Priber were escorted unharmed to Charleston with the assistance of Priber's guards.

Perhaps the best picture of this mysterious Christian Gotelieb Priber is given by James Adair. Although Adair was certain that Priber "infected the Cherokees by his smooth deluding art,"

²⁹ Americus, *op. cit.*, p. 24.

³⁰ *South Carolina Gazette*, August 15, 1743.

³¹ Americus, *op. cit.*, p. 23.

³² Saas, *op. cit.*, p. 68.

³³ Adair, *op. cit.*, p. 243; Grant, *op. cit.*, p. 59; Bonnefoy, *op. cit.*, 156, Americus, *op. cit.*, p. 24.

³⁴ Americus, *op. cit.*, p. 23.

³⁵ Bonnefoy, *op. cit.*, p. 155.

he concluded that Priber "deserved a much better fate" than capture by the English.³⁶ Adair wrote:³⁷

Priber went to the Cherokee Nation, and although adorned with every qualification that constitutes the gentleman, soon after he arrived at the upper towns of this mountainous country, he exchanged his clothes and everything he brought with him, and by that means, made friends with the head warriors of great Teliko, which stood on a branch of the Mississippi. More effectually, to answer the design of his commission, he ate, drank, slept, danced, dressed, and painted himself with the Indians, so that it was not easy to distinguish him from the natives—he married also with them, and being endued with a strong understanding and retentive memory, he soon learned their dialect, and by gradual advances, impressed them . . .

THE CHEROKEE PEOPLE

The Cherokees with whom Priber sought to establish his Kingdom of Paradise were a branch of the Iroquoian group of Indians who once possessed the "vast mountainous region of the Southern Alleghenies in what is today southwest Virginia, western North and South Carolina, eastern Tennessee, northern Georgia, and the northeastern tip of Alabama."³⁸ In eighteenth century colonial relations, the government of South Carolina considered the Cherokees the most powerful tribe on the frontiers of English America. When Priber came to the Cherokee country, the tribe numbered more than 10,000 and lived in forty or more villages.³⁹

As early as 1736, when Christian Priber came to the Cherokee Nation, their forty thousand acre domain had begun to shrink, the native theocracy was under attack from within, and the "red society" or war leaders were in ascendancy.⁴⁰ The Cherokees were becoming so dependent upon trade with European nations that Skiagunsta, the head warrior of the Lower Towns, stated: "My people . . . cannot . . . live independent of the English . . . The clothes we wear we cannot make ourselves. They are made for us. We use their ammunition with which to kill deer. We

³⁶ Adair, *op. cit.*, p. 243.

³⁷ *Ibid.*, p. 240

³⁸ Woodward, *op. cit.*, p. 18. Those who are interested in a clear and incisive short history of the Cherokees should read in Muriel Wright, *A Guide to the Indian Tribes of Oklahoma* (Norman: University of Oklahoma Press, 1951).

³⁹ David H. Corkran, *The Cherokee Frontier: Conflict and Survival, 1740-62* (Norman: University of Oklahoma Press, 1962), p. 3.

⁴⁰ Evolution of Cherokee institutions is most clearly described in William Shedrick Willis, "Colonial Conflict and the Cherokee Indians, 1710-1760," Unpublished dissertation, Ph.D., Columbia University, 1955.

cannot make our guns. Every necessary of life we must have from the white people.”⁴¹

The English considered the friendship of the Cherokees an absolute requirement “for their friendship will always secure . . . that quarter from the attempts of the French.”⁴² French agents were constantly among the Cherokees and between 1720 and 1765 the French gained support among several important Cherokee leaders.⁴³

Though regionally divided, the Cherokees were approaching the concept of nationhood. It has generally been overlooked that the Cherokees formulated a concept of nationalism as early as 1720 when steps were begun to abandon many earlier legal institutions.⁴⁴ The forty or so Cherokee villages broke down into three regional communities. The Cherokee clan ties cut across the regions.⁴⁵

The Cherokees were a stable people who had an economy which included domestic agriculture. Traders lived in more than thirty of the Cherokee towns. The Cherokees were often in debt to their traders who outfitted the Indians on credit to be charged against the anticipated deerskins.⁴⁶ Trade with the English and French had begun to change the basic structure of Cherokee life but the hereditary priests continued to play a dominant role in the regional alliances. Cherokee women used their power in what James Adair called “petticoat government.”⁴⁷ The family was

⁴¹ Corkran, *op. cit.*, p. 14.

⁴² Governor Glen of South Carolina quoted in the South Carolina Council Journals, May 28, 1751, in *ibid.*, p. 15.

⁴³ The French seem to have been able to take advantage of the small-pox epidemics which killed thousands of Indians. These were blamed upon the English. William Thomas Corlett, *The Medicine Man of the American Indian and His Cultural Background* (Baltimore: Charles C. Thomas, 1935), p. 149. Southern Indian official, Edmund Atkins, concluded that the greatest danger to English policy came from French priests. Jacobs, *Indians of the Southern Colonial Frontier*, 12-13.

⁴⁴ Corkran, *op. cit.*, pp. 3-12. Results of this movement have been studied by a noted anthropologist. See Fred O. Gearing, *Priests and Warriors: Social Structure for Cherokee Politics in the 18th Century*. Memoir 93, The American Anthropological Association, Volume 64, No. 5, Part 2, October 1962 and Fred O. Gearing, “The Rise of the Cherokee State as an Instance in a Class: The ‘Mesopotamian Career to Statehood’”, in William Fenton and John Gulick (eds), “Symposium on Cherokee and Iroquois Culture.” *Bulletin* 180. Bur. of American Ethn. (Washington: 1961).

⁴⁵ Gregory and Strickland, *op. cit.*, pp. 8-12.

⁴⁶ Corkran, *op. cit.*, p. 11.

⁴⁷ Adair, *op. cit.*, p. 408.

relatively unstable with Cherokees living together for only a short time.⁴⁸

Tribal ownership of land was reflected in what naturalist William Bartram later described as a "common plantation."⁴⁹

In the spring, the ground being prepared, on one and the same day, early in the morning, the whole town is summoned, by the sound of a conch shell, from the mouth of the overseer, to meet at the public square, whither the people repair with their hoes and axes, and from thence proceed to their plantation, where they begin to plant, not every one in his own little district . . . but the whole community united, begins on a certain part of the field . . . After the feast of the busk is over, and all of the grain is ripe, the whole town again assemble, and every man carries of the fruits of his labour, from the part first allotted to him . . . his own. But previous to their carrying off their crops from the field, there is a large crib or granery . . . which is called the king's crib; and to this each family carries and deposits a certain quantity, according to his ability, or inclination . . .⁵⁰

The large quantities of grain carried to the "king's crib" were intended to "assist neighboring towns, where crops have failed, accomodate strangers, or travelers and . . . to distribute comfort and blessings to the necessitous."⁵¹

THE KINGDOM OF PARADISE

Americus' description of Christian Priber might have been of a Cherokee warrior. "His dress was a deer-skin jacket, a flap before and behind his privities, with morgissons, or deerskin pumps, or sandals, which were laced, in the Indian manner on his feet and ankles."⁵² But the plan for his Kingdom of Paradise was broader and more revolutionary than any national plan of a Cherokee. According to Americus:⁵³

After some months of intercourse, I had from his own mouth a confession of his design in America, which were neither more nor less than to bring about a confederation amongst all the southern Indians to inspire them with industry, to instruct them in the arts necessary to the commodity of life, and in short, to engage them to throw off the yoke of their European allies, of all nations. For this purpose he had, for many years, accommodated himself to their opinions, prejudices and practices, had been their leader in war, and their priest, and legislator-in-peace, interlarding (like his brethren in China) some of the most alluring Romish rites with their own superstitions and inculcating such maxims of policy as were not utterly repugnant to their own, and yet were admirably calculated to subserve the views he had upon them.

⁴⁸ Mooney, *op. cit.*, p. 224.

⁴⁹ William Bartram, *Travels Through North and South Carolina, Georgia, East and West Florida, the Cherokee Country* (Philadelphia: James and Johnson, 1791), pp. 325-326.

⁵⁰ *Ibid.*, pp. 325-326, 330-332.

⁵¹ *Ibid.*, pp. 325-326.

⁵² Americus, *op. cit.*, p. 23.

⁵³ Americus, *op. cit.*, p. 24.

The Kingdom of Paradise was even broader than the political confederation described by Americus. Priber succeeded in establishing an Indian Empire.⁵⁴ He crowned an Emperor and appointed himself "Secretary of State" and conducted tribal relations with Georgia and South Carolina.⁵⁵ Priber is said to have⁵⁶

. . . easily formed the Cherokees into a nominal republican government—crowned the old Archi-magus emperor, after a pleasing new savage form, and invented a variety of high-sounding titles for all members of the imperial majesty's red court, and great officers of state; which the emperor conferred upon them, in a manner, according to their merit. He himself received the honorable title of his imperial majesty's principal secretary of state, and as such he subscribed himself, in all letters he wrote to our government, and lived in open defiance of them.

Priber's Kingdom was not firmly established when the new "emperor" was recognized by South Carolina. For included in Priber's plans were broader social and economic provisions including regulation of marriage and the family, instruction in the arts and sciences, common ownership of property, expanded trade with both the French and English, unified Indian protest, and general religious freedom. The "natural rights of mankind" and not "tyranny, usurpation, and oppression" were the basis of this Paradise. Generally:⁵⁸

The form of government should be that of a general society of those composing it, in which, beyond the fact that legality should be perfectly observed, as well as liberty, each would find what he needed, whether for subsistence, or the other needs of life; that each should contribute to the good society, as he could. There would be no superiority; . . . all should be equal there; . . . he (Priber) would take the superintendence of it only for the honor of establishing it; that otherwise his condition would not be different from that of the others; that the lodging, furniture and clothing should be equal and uniform as well as the life; that all goods should be held in common, and that each should work accordingly to his talents for the good of the republic; that the women should live with the same freedom as the men; that the children who should be born should belong to the republic, and be cared for and instructed in all things that their genius might be capable of acquiring; that the law of nature should be established for the sole law, and that transgressions should be punished by their contrast . . . The individual was to have as his only property a chest of books and paper and ink.

The Kingdom of Paradise was to include a town for "Fugi-

⁵⁴ Woodward, *op. cit.*, p. 68.

⁵⁵ See the Joshua Reynolds portrait of "Cherokee Emperor" in the Thomas Gilcrease Institute of American History and Art, Tulsa, Oklahoma.

⁵⁶ Adair, *op. cit.*, p. 240.

⁵⁷ For a brief description of the Kingdom of Paradise see Verner W. Crane, "Christian Priber," in Dumas Malone (ed), *Dictionary of American Biography*, Vol. XV (New York: Charles Scribner's Sons, 1935), p. 210.

⁵⁸ Bonnefoy, *op. cit.*, pp. 155-157.

tives" who came into the Cherokee country. Priber was, according to the *South Carolina Gazette*, "setting up a Town at the Foot of the Mountains among the Cherokees, which was to be a City of Refuge for all Criminals, Debtors, and Slaves who would fly thither from Justice of their Masters."⁵⁹

The plans for the Kingdom were not quickly conceived. Priber estimated that "for twenty years he had been working to put into execution the plan." When he sought "to put his plan into execution" the German authorities in Saxony "wished to arrest him" so that "seven or eight years before he had been obliged to flee from his country." Having gone to England and from there to the Carolinas, "he had also been obliged to depart thence . . . for the same reason . . ." The Cherokee Nation appeared "a sure refuge" in which Priber reported to have "been working for four years upon the establishment which had been planning for twenty."⁶⁰

While a captive in an English prison at Fredricka, Georgia, Priber "often hinted that there were many more of his brethren, that were yet labouring amongst the Indians for the same purpose."⁶¹ The Kingdom of Paradise was not limited to the Cherokee Nation or even to the native Indian population. Priber thought "that he had 100 English traders belonging to his society who had just set out for Carolina, whence they were to return the next autumn, after having got together a considerable number of recruits, men and women of all conditions and occupations, and the things necessary for laying the first foundations of his republic, under the name of Kingdom of Paradise."⁶²

THE CHEROKEE, PRIBER AND UTOPIAN THOUGHT

Christian Gotlieb Priber has been described as "a backwoods utopian . . . a spiritual descendant of . . . Sir Thomas More."⁶³ There are, in fact, many similarities between Sir Thomas More's *Utopia* and Priber's Kingdom of Paradise. More's imaginary state is considered "the model state which matured in the humanist renaissance mind."⁶⁴ Christian Priber's Kingdom

⁵⁹ *South Carolina Gazette*, August 15, 1743.

⁶⁰ Bonnefoy, *op. cit.*, pp. 155-156.

⁶¹ Americus, *op. cit.*, p. 24.

⁶² Bonnefoy, *op. cit.*, p. 156.

⁶³ Crane, *op. cit.*, p. 49.

⁶⁴ Negley and Patrick, *The Quest for Utopia*, p. 284. The largest selling edition of *Utopia* was published in 1902, by A. L. Burt Company. However, reference is made to the Charles M. Andrews, *Ideal Empires and Republics* translation (London: M. Walter Dunne, 1901). Cited hereafter as More.

clearly has "roots in the ideas of . . . More" and demonstrates "the humanitarian impulses of the Enlightenment."⁶⁵

Both Priber and More set their Utopia in the newly discovered worlds among the "noble savage" so admired by Rousseau. There is more than a surface similarity between Priber and More's narrator Raphael Hythloday. Priber had "every qualification of a gentleman"⁶⁶ and was "instructed in all that a gentleman ought to know . . . , learned in English and French, German and Latin,⁶⁷ and "in all greatly wedded to systems and hypothesis."⁶⁸ More wrote of the narrator of the customs of the Utopians that "Raphael . . . is not ignorant of the Latin tongue, but is eminently learned in the Greek, having applied himself more particularly to that . . . because he had given himself much to philosophy . . . "⁶⁹

Consider that Priber "soon after he arrived . . . made friends with the head warriors" and that "having thus infected them by by his smooth deluding art . . . he easily formed them into a nominal republican government."⁷⁰ Hythloday did not revise the government he found in the country of Utopia but he and his companions "by degrees insinuated themselves into the affections of the country, meeting often with them, and treating them gently."⁷¹

Yet Hythloday did more than simply observe the society. "He got wonderfully into their favor by showing them the use of the needle, of which till then they were ignorant."⁷² Priber was ready to use European advances to strengthen his position in the Cherokee society. Bonnefoy reports that the Cherokees "know inches and measures and have steel-yards which Pierre made them."⁷³ Priber's plan intended "to bring up a sufficient number of Frenchmen of proper skill to instruct them in the art of making gunpowder . . . " Even more valuable to the Cherokee would

⁶⁵ Crane, *op. cit.*, pp. 48-51, 61.

⁶⁶ Adair, *op. cit.*, p. 240.

⁶⁷ Bonnefoy, *op. cit.*, p. 155.

⁶⁸ Americus, *op. cit.*, p. 24.

⁶⁹ More, *op. cit.*, p. 130.

⁷⁰ Adair, *op. cit.*, p. 240.

⁷¹ More, *op. cit.*, p. 131.

⁷² *Ibid.*, p. 132.

⁷³ Bonnefoy, *op. cit.*, p. 158.

have been the dictionary "he wrote in Cherokee, designed to be published at Paris."⁷⁴

Thomas More notes that Hythloday "told us of the manners and laws of the Utopians."⁷⁵ Priber, according to Adair, "set down a great deal that would have been very acceptable of the curious, and servicable to the representatives of South Carolina and Georgia."⁷⁶ This report by Priber was "drawn up methodically, and full of learned Quotations . . . and several Flights full of Invention" which might have drawn comparisons between the Kingdom of Paradise and More's *Utopia*.⁷⁷

The Cherokees like the Utopians lived in villages or "cities."⁷⁸ Priber intended to continue this practice although he did not advocate movement from one area to another.⁷⁹ But the Kingdom of Paradise was to have experimental agriculture outside of the villages as with More's Utopians who "breed an infinite multitude of chickens in a very curious manner."⁸⁰

The loss of Priber's manuscript has prevented study of the economic life, occupation positions, and the pursuit of pleasure to which More devoted so much space. However, observers report many of the details of his society such as the requirement that "each individual was to have as his only property a chest of books and paper and ink."⁸¹ In Utopia where "the minds . . . are very ingenious when fenced with a love of learning" there are also "two things they owe to us, the manufacture of paper, and the art of printing."⁸²

One feature which Priber's Kingdom of Paradise possessed that More had not created was "a Town . . . which was to be A City of Refuge for all Criminals, Debtors, and Slaves who could fly . . . from Justice of their Masters."⁸³ This is a Cherokee institution which clearly predates the written history of the tribe and is an excellent example of Priber's use of traditional Chero-

⁷⁴ Adair, *op cit.*, p. 243.

⁷⁵ More, *op cit.*, p. 133.

⁷⁶ Adair, *op cit.*, p. 243.

⁷⁷ *South Carolina Gazette*, August 15, 1743.

⁷⁸ Corkran, *op cit.*, p. 3; More, *op. cit.*, p. 163.

⁷⁹ Adair, *op. cit.*, p. 243.

⁸⁰ More, *op. cit.*, p. 164.

⁸¹ Bonnefoy, *op cit.*, p. 157.

⁸² More, *op. cit.*, p. 197.

⁸³ *South Carolina Gazette*, August 15, 1743.

kee customs in his utopian scheme. While we know very little of Priber's City of Refuge, an early Cherokee informer has explained the institution as it operated in Cherokee society: ⁸⁴

The Cherokees had a city of refuge for the manslayer. This was Echota, their honored town of which my informant was once an inhabitant. Whoever had killed a person, whether intentionally or by accident had the privilege to flee to this town, where he was safe from the avenger. The condition of his residence was that he should go out to battle in the next war . . . in which if he killed or took an enemy prisoner, he was free.

More, a lawyer himself, writes with a distaste for many legal institutions. Priber's laws of nature are to be so simple and naturally common to all that few legal institutions are needed. Priber's attitude was much the same as More's Utopians who "very much condemn other nations, whose laws, together with the commentaries on them, swell up so many volumes." ⁸⁵

In More's Utopia "there are several sorts of religions" but "the greater and wiser sort of them worship . . . an eternal, invisible, infinite, and incomprehensible Diety." ⁸⁶ Religion in Priber's Kingdom of Paradise was "all Colours and Complexities" but Priber selected for his emperor "a religious man" or priest of the ancient Cherokee religion. ⁸⁷ A modified Christian religion combining "some of the most alluring Romish rites with their own superstitions" seems to have been Priber's plan. ⁸⁸ The Kingdom of Paradise allowed complete freedom in such matters. ⁸⁹

Cherokee society of the 18th century was clan centered. Clan membership was inherited from the maternal lines and all members of a "people" or clan were considered to be brothers and sisters, although in most instances they were not of traceable consanguinous relationships. ⁹⁰ Priber made no effort to change these basic structures. But Priber suggested that "there should be no marriage contract, and that they should be free to change . . . every day; that the children should belong to the republic and be cared for" by the state. ⁹¹ In Cherokee society marriage gener-

⁸⁴ "Cherokee Traditions," *The Cherokee Phoenix*, April 1, 1829; Adair, 261; Thomas Nuttall, *Journal of Travels Into the Arkansas Territory* (Cleveland: The Arthur H. Clark Company, 1905), 189.

⁸⁵ More, *op. cit.*, p. 197.

⁸⁶ *Ibid.*, pp. 215-216.

⁸⁷ Adair, *op. cit.*, p. 240.

⁸⁸ Americus, *op. cit.* p. 23.

⁸⁹ Bonnefoy, *op. cit.*, pp. 155, 157.

⁹⁰ Clan relationship in the Cherokee society is discussed in Gearing, *Priests and Warriors*, pp. 21-29.

⁹¹ Bonnefoy, *op. cit.*, p. 157.

ally followed such a pattern with regard to freedom of marriage termination but the children of all unions remained with the mothers who tended to be very protective.⁹² In More's Utopian society, by contrast, marriage was a much more important institution.⁹³

Common ownership of most property is a characteristic of humanitarian utopias. Thus More, Priber, and the traditional Cherokee society were essentially similar on property questions. Bartram later observed the "common plantations" of the Cherokees. Priber included these as an important element in the Kingdom for "in his republic there would be no superiority, all should be equal there, . . . all goods held in common."⁹⁴

The greatest similarity between European utopian ideals as symbolized by Sir Thomas More's *Utopia* and Priber's Kingdom of Paradise is not in the community detail but in the broad philosophical base. In *Utopia* "they define virtue as living according to Nature, and think that we are made by God, for that end."⁹⁵ Priber thought "the laws of nature are the sole laws"⁹⁶ and that he was a "friend to the natural rights of mankind—an enemy to tyranny, usurpation, and oppression."⁹⁷

CONCLUSION

In truth, Priber seems to have originated little that was new to Cherokee society. At the beginning of the 18th Century, the Cherokees, as a people, patterned their law-ways upon the concepts of a natural order. Perhaps the primary distinction between European thinking such as More's *Utopia* and Priber's Kingdom of Paradise was that More's citizens were only a dream tribe of "noble savages" while Priber's Cherokees were citizens of the real world—a flesh and blood tribe of New World Indians with their own ideas and institutions.

Priber was an activist and one of what utopian scholars call

⁹² Mooney, *op. cit.*, p. 224.

⁹³ More, *op. cit.*, p. 173.

⁹⁴ Bonnefoy, *op. cit.*, pp. 155-157. See also Alexis de Toqueville's comments on Cherokee land ownership in George Wilson Pierson (ed), *Tocqueville In America* (Garden City: Anchor Books, 1959), p. 389.

⁹⁵ More, *op. cit.*, p. 186.

⁹⁶ Bonnefoy, *op. cit.*, p. 157.

⁹⁷ Adair, *op. cit.*, p. 243.

dreamed necessary for a society of perfect justice. Priber based his society upon Cherokee social and political institutions. Therefore, he had to accommodate "himself to their opinions, prejudices, and practices" and to inculcate "such maxims of policy as were not utterly repugnant to their own, and yet were admirably calculated to subserve the views he had upon them."⁹⁸

Priber's use of existing Cherokee institutions should not lessen his significance as a utopian planner. In fact, Priber seems to have done what most utopian philosophers only dreamed about doing. This mysterious European came to the Cherokee Indians—a people who possessed many of the institutions which More dreamed of creating—and from their ways had begun to fashion a Kingdom based upon "the natural rights of mankind"¹⁰⁰ where "each should contribute to the good of society, as he could" and in which "the laws of nature should be established for the sole law . . ."¹⁰¹

But what may be concluded about this mysterious Priber? Perhaps the evaluation of Verner Crane is as clear as any which might be drawn:¹⁰²

Priber's city was never built. His book was apparently never published. Yet from the near-sighted accounts of his contemporaries it is possible to reconstruct . . . the body of his ideas, and to assign him a place in that stirring of the human spirit which was the eighteenth century.

He deserves, no doubt, a better fate than the oblivion which has befallen him. Philosopher, utopian, linguist, scholar, friend of peace, of progress, of the Indian, he was a solitary figure among the ruder folk who people the outer fringe of European civilization in America. Chimerical his enterprise must seem. By reason of it, however, the first American frontier, became, for a few years, the first frontier of eighteenth-century social idealism.

⁹⁸ Sister M. St. Ida Leclair, *Utopias and the Philosophy of Saint Thomas* (Washington: The Catholic University of American Press, 1941), p. 22.

⁹⁹ Americus, *op. cit.*, p. 24.

¹⁰⁰ Adair, *op. cit.*, p. 243; Americus, *op. cit.*, p. 23.

¹⁰¹ Bonnefoy, *op. cit.*, p. 157.

¹⁰² Crane, *op. cit.*, pp. 49, 61.

THE SEMINOLE TREATY OF 1866

By Harry Henslick*

In early September of 1865 loyal representatives of the Seminole nation along with delegates of many other tribes gathered at Fort Smith, Arkansas according to instructions from Washington. The agenda for the conference had not been announced, but the Indians expected the United States government to renew relations with those portions of the tribes which had defected to the Confederacy during the Civil War.¹

To the surprise of the Indians, the United States had far more sweeping plans in mind. On the opening day of the Fort Smith meeting these plans were introduced by Dennis N. Cooley, Commissioner of Indian Affairs, who reiterated them in more detail on the following day, September 9.² New treaties were to be negotiated with all the Indians in Indian Territory because they forfeited all rights under their treaties with the United States, and they must be considered as being at the mercy of the government. They had done this by making treaties with the Confederate States. All of the new treaties were to include certain provisions: a portion of their lands must be set apart for the friendly tribes in Kansas; the institution of slavery must be abolished, and all the nations and tribes in Indian Territory must form into one consolidated government.³ These plans, officially agreed upon in the reconstruction treaties of 1866, were ominous indications of great changes which were to take place in the internal structure of the Five Civilized Tribes as well as in their relationship to one another and to the federal government.

For the Seminoles, the treaty of 1866 was the culmination of more than four decades of incessant strife under the sovereignty of the United States. Taken from their native land, under conditions of bloody warfare against an enemy that possessed many times their power, they had scarcely known the contentment that arises from the security of a peaceful existence. The tough fiber and undaunted courage of an exceptional race had finally won for them a fair bargain in the Treaty of 1856, which provided sep-

* The author, Harry Henslick, is a graduate teaching assistant in history at Oklahoma State University, and is studying for the Ph.D. degree. This paper was prepared in the research seminar on the Civil War and Reconstruction under Professor LeRoy H. Fischer of the Department of History.—Ed.

¹ United States Department of the Interior, *Report of the Commissioner of Indian Affairs for 1865* (Washington: Government Printing Office, 1865), pp. 315-316 (hereafter cited as *Annual Report*).

² *Ibid.*, pp. 482-483.

³ *Ibid.*, pp. 314-315, 482-483.

erate and independent status for the Seminoles. But before they had an opportunity to adjust to their new and better situation, they found themselves overwhelmed by another war, a civil struggle in which their people had the misfortune to be divided into hostile camps. Now the war was over, and the entire tribe, beaten, bewildered, but not demoralized, had to pay the price the United States government demanded.

In 1819, Florida was ceded to the United States by Spain, bringing the Seminoles under the jurisdiction of the United States. Immediately there was a demand from Georgia citizens that the Seminoles and their Negroes move off the fertile agricultural lands, where they had long lived, to another part of Florida.⁴ By treaty the tribe was moved to a swampy, interior section of Florida, east of Tampa Bay, in 1823.

The Seminoles did not prosper in their new home, but it mattered little. Under the auspices of the Indian Removal Act of 1830 the Seminoles signed the Treaty of Payne's Landing in May, 1832.⁵ By this treaty they agreed to relinquish their land claims in Florida, migrate to Indian Territory, and settle among the Creeks, a tribe from which a large portion of the Seminoles had descended and whose language the Seminoles spoke. This treaty was to be binding upon the tribe once they had found acceptable land, and had been accepted by the Creeks. By April 12, 1833 a Seminole delegation sent west to examine the land and representatives of the Creeks signed new treaties at Fort Gibson. These treaties stated that henceforth the Seminoles should be considered a constituent part of the Creek Nation.⁶

The Florida Seminoles refused to recognize the Fort Gibson treaty. The western delegation was not authorized to enter into treaty negotiations, the tribe opposed being merged within the Creeks, and feared possible involvement in a war among the Plains Tribes. In December, 1835 hostilities between the Seminoles and the United States arose. A small band of Indians attacked the agency at Fort King on December 28, killing agent Wiley Thompson and three others. On the same day a large party of Seminoles and their Negro allies attacked and killed all but three of a company of 110 United States troops moving in to enforce removal. Thus began the Seminole War which was to last almost seven years and cost the United States more than 1,400 soldiers, many civilians, and twenty million dollars.⁷

⁴ Muriel H. Wright, *A Guide to the Indian Tribes of Oklahoma* (Norman: University of Oklahoma Press, 1951), p. 229.

⁵ *Ibid.*, p. 230.

⁶ *Ibid.*, Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People* (4 vols., New York: Lewis Historical Publishing Company, 1929), Vol. I, p. 237.

⁷ Wright, *A Guide to the Indian Tribes of Oklahoma*, pp. 231-232.

The Seminole War and the removal of the tribal bands to Indian Territory during that conflict was one of the most tragic chapters in the history of Indian removal. The war itself was one of attrition, with the burning of Indian towns and the destruction of Indian provisions. Facing a cool and courageous foe, the United States Army was unable to subdue the Seminoles using conventional methods. Soon Army officers resorted to questionable tactics. Two tribal chiefs were captured under a flag of truce and imprisoned, and another was taken prisoner during a peace parley. The war ended only in 1842 when the government agreed that several hundred Seminoles could remain in Florida. These Indians never surrendered and their descendents are the Seminoles in Florida today.⁸

As the tribal leaders surrendered at different times during the war, their followers migrated to Indian Territory under military escort. Experiencing great hardship and suffering, they arrived in their new country destitute, sick, and dying. Unfortunately for the Seminoles, the Creek Nation at that time was deeply divided. The area designated for the Seminoles under the 1833 treaty was occupied by the Upper Creek. Friendly council was held by the Seminoles with the Lower Creek, who offered some land to them, but the Seminoles refused to settle anywhere but on the previously agreed land. Since this was impossible, many of them remained near Fort Gibson.⁹

The Treaty of 1845, signed by United States commissioners and delegates of the Seminoles and Creeks attempted to pave the way for adjustment of the trouble between the two tribes. The Seminoles could settle in a compact body anywhere in the Creek country and govern themselves under the general laws of the Creek Nation. The Seminoles, however, were never reconciled to this provision, because they refused to accept Creek sovereignty. Finally in 1856 a new treaty ceded a part of the Creek country to the Seminoles, in which they were to establish an independent government.¹⁰

By 1849, the Seminole settlements had been located between the North Fork and Little rivers, north of the Canadian River. Under the provisions of the 1856 treaty the Seminoles had to move again to their new territory, west of the ninety-seventh

⁸ *Ibid.*

⁹ Thoburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. I, p. 238.

¹⁰ *Ibid.*, p. 239; Wright, *A Guide to the Indian Tribes of Oklahoma*, pp. 232-233; Edwin C. McReynolds, *The Seminoles* (Norman: University of Oklahoma Press, 1957), pp. 275-277; for the treaties of 1845 and 1856 with the Creeks and Seminoles, see Charles Kappler, Jr., ed., *Indian Affairs: Laws and Treaties* (6 vols., Washington: Government Printing Office, 1904), Vol. II, pp. 550-552, 756-763.

parallel. This move and organization of their tribal government was nearly completed by 1859 and the Seminoles were happily on the way to establishing a stable foundation for their independent future. Their plans, unfortunately, were soon to be interrupted by the Civil War.¹¹

During the period directly preceding the outbreak of that conflict, the people of the Five Civilized Tribes were at peace with the world. Yet the continuing threat of Congress to turn Indian Territory into a formal territorial part of the Federal Union was upsetting to them. The year 1860 particularly was one of distress and threatened calamity to the Five Civilized Tribes. The Southwest experienced the worst drought in thirty years; crops were a failure and thousands of Indians faced famine as winter approached. The presidential campaign was also in progress and was followed with great interest. William H. Seward, speaking for the Republican nominee, was widely quoted by Southern newspapers: "The Indian Territory . . . south of Kansas . . . must be vacated by the Indians."¹² Were these unfortunate words an answer to the anxious questions of the Indians?¹³

In addition to these problems, circumstances served to draw the Indians toward the seceding states: All of the five Indian nations in the territory had come from the South; many of the customs and habits which they had adopted were those which were peculiar to the South; many of their people were related by blood or marriage to southerners; all of the Indian agents appointed by the government were from the South and each was in a position to exert powerful influence in behalf of secession; and the Southern states held most of the Indian's investments in the form of bonds. All of these circumstances, plus the abandonment of the area by the United States at the outbreak of the war, pointed to an alliance with the Confederate States.¹⁴

Despite this situation, however, many tribal leaders hesitated to disrupt their friendly relations with the United States. All of the five Indian nations split internally over the question of making new treaties with the Confederacy. On August 1, 1861 Captain Albert Pike induced John Jumper, twelve town chiefs, and their followers among the Seminoles, to accept Confederate terms. Among those who refused to sign were Billy Bowlegs, principal chief of the Seminoles, and Hallack Tustenuggee and John Chup-

¹¹ Wright, *A Guide to the Indian Tribes of Oklahoma*, pp. 232-233.

¹² Thoburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. I, p. 306.

¹³ *Ibid.*

¹⁴ *Ibid.*, pp. 302-311; Minnie Elizabeth Bailey, "Reconstruction in Indian Territory, 1865-1877" (unpublished Doctor of Education thesis, Oklahoma State University, 1967). p. 30.

co, town chiefs. Their followers soon joined Opothleyahola's band of "Loyal Creeks." Of the twenty-three hundred Seminoles, more than one thousand, despite heavy losses en route, arrived in Kansas as loyalist refugees with the Creeks.¹⁵

Confederate troops under the command of Colonel Douglas H. Cooper attacked Opothleyahola's followers on their way north to neutral ground in the fall of 1861 that brought on the first skirmishes and hot fights of the Civil War in the Indian Territory. These three battles (Round Mountain, Chustolasah or "Caving Banks," and Chustenahlah) and the Confederate pursuit of the fleeing Indians north to Kansas in a terrible winter storm determined the course of the War in Indian nations (later known as the Five Civilized Tribes). The country was laid waste especially in the Creek and Cherokee nations, vast amounts of property were destroyed, and the inhabitants reduced to poverty.

With hostilities of the war at an end, about one-half of the Seminole refugees were returned to Indian Territory by mid-1865, but they were located upon Creek and Cherokee lands near Fort Gibson. The remaining loyalists, about five hundred, consisting mostly of the families of volunteers in the Union Army, remained in Kansas near Neosho Falls. They were to be moved soon to Creek land south of Fort Gibson. The Southern Seminoles numbered about one thousand and were still located on Chickasaw lands. The Seminole country was too much disturbed for them to return to, at this time.¹⁶

The Seminoles in 1865, in common with the other Indians, faced the problems of reconstruction. Homes and farms had to be rebuilt, illegal cattle driving, crime, and general lawlessness had to be curbed. Tribal government, political harmony, and economic prosperity had to be reestablished. Other problems of reconstruction would be solved later, but for the present, attention was turned toward reestablishing political relations with the United States. This major step was to be taken at the peace council called for September, 1865 in Fort Smith, Arkansas.

President Andrew Johnson appointed a commission to represent the United States at Fort Smith that consisted of the following: Dennis N. Cooley, Commissioner of Indian Affairs; Elijah Sells, Superintendent of the Southern Superintendency; Thomas Wistar, a leading member of the Society of Friends; Brigadier General William S. Harney, United States Army; and Colonel Ely S. Parker, of General Ulysses S. Grant's staff. The secretaries

¹⁵ Thoburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. I, p. 319; *Annual Report*, pp. 46-49; Bailey, "Reconstruction in Indian Territory, 1865-1877," p. 48; Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 233.

¹⁶ *Annual Report*, 1865, pp. 465-468.

for this group were Charles E. Mix, George L. Cook, W. R. Irwin, and John B. Garrett. These men left Washington with Secretary of the Interior James Harlan's instructions based upon a bill for the organization of Indian Territory that had passed the Senate at the last session of Congress, commonly known as the Harlan Bill.¹⁷

In the early 19th Century the United States' solution to the Indian problem was to move the tribes to the West. Though Indians generally strongly resisted a location change, it was only following the gold rush of 1849, the wisdom of settling western lands with Indians began to be questioned. But the nation was soon preoccupied with the issue of Negro slavery and the Indian problem was temporarily shelved. Western land was fast being depleted, however, and a permanent solution of the Indian question could not long be postponed. Even during the War, legislation was enacted to bring about the removal of certain Indian tribes from the states to Indian Territory.¹⁸

Several bills were also introduced to Congress during the War calling for formal territorial status for Indian Territory. Senator James Lane of Kansas and Senator James Harlan of Iowa, later to become Secretary of the Interior, were leaders of the move for territorial status of the Indian lands and concentration of the Indians upon them. Early in 1865 Senator Harlan's bill was introduced to the Senate. It was railroaded through and passed by the Senate three days later. It did not receive consideration in the House, but is significant in that its outline was followed in the agreements of 1865 and 1866 with the nations.¹⁹

The first meeting of the Fort Smith Council found representatives of eleven Indian groups present, including the Seminoles, but all were from loyal factions. George A. Reynolds, agent for the Seminoles, and six other agents were also present representing the several tribes. The loyal Seminoles were represented by John Chupco, head chief, Pascofa, Fohutshe, Fos Harjo, and Chutcote Harjo. The delegation from the Confederate Indians had not arrived, having previously arranged to meet at Armstrong Academy in the Choctaw Nation, on the first of September.²⁰

On the way to Fort Smith, Cooley wired Secretary Harlan asking for instruction on precedures. Harlan replied: "You will be controlled by circumstances. You may commence by saying

¹⁷ *Ibid.*, pp. 312-313; Annie Heloise Abel, *The American Indian Under Reconstruction* (Cleveland: The Arthur H. Clark Company, 1925), pp. 217-167.

¹⁸ Bailey, "Reconstruction in Indian Territory, 1865-1877," p. 89.

¹⁹ *Ibid.*, pp. 90-92.

²⁰ *Annual Report*, 1865, p. 497.

the President is willing to grant them peace, but wants land for other Indians, and a civil government for the whole Territory.”²¹

The council was called to order on September 8 by Cooley, a prayer was offered in the Cherokee language by the Reverend Lewis Downing, acting chief of the Cherokee, after which Cooley addressed the Indians. He informed them in general of the objectives of the commission. Since they had as tribes for the most part violated their United States treaties they had forfeited all of their rights. The Government wished to treat them leniently and to recognize the loyalty of those who had fought upon the Union side (virtually the entire audience). The general consensus of the Indian representatives was that not knowing the objectives of the council until the point where they needed time for deliberation.²²

The goals of the commission as listed by Cooley consisted of seven provisions: (1) The tribes must enter into permanent treaties of peace with themselves, each nation and tribe, and with the United States. (2) All residents of the Indian Territory must, when called upon by the government, aid in compelling the Indians of the plains to maintain peace. (3) The institution of slavery must be abolished, and measures taken for the emancipation of all persons held in bondage, and for their incorporation into the tribes on an equal footing with the original members, or suitably provided for. (4) The treaties must stipulate that slavery, or involuntary servitude, shall never exist in the tribes except in punishment of crime. (5) A portion of the lands hitherto owned and occupied by the tribes must be set apart for the friendly tribes from Kansas and elsewhere. (6) It would be the policy of the government, unless other arrangement be made, that all tribes in the Indian Territory be formed into one consolidated government or territory after the plan proposed by the Senate of the United States, in a bill for organizing the Indian Territory. (7) No white person, except officers, agents, and employees of the government, and of internal improvement agencies authorized by the government, would be permitted to reside in the territory, unless such person was formally incorporated with some tribe.²³

That afternoon the Indians had a chance to speak to the commission. From the talks made, it was apparent that the Indians were amazed to have the work of the council go forward prior to the arrival of the Confederate Indians who Cooley had announced would arrive on September 11. Of the seven conditions laid down by Cooley as a basis for the new understanding, the third and

²¹ *Ibid.*, p. 34; Abel, *The American Indian Under Reconstruction*, p. 183.

²² *Annual Report*, 1865, pp. 315-316.

²³ *Ibid.*, pp. 482-483.

fifth caused the greatest consternation. Not only was unconditional emancipation of the slaves required; also the tribes would be expected to incorporate the freedmen into the tribe. This condition gave the Seminoles less concern than it did the leaders of the other tribes because little adjustment was required by them for meeting it. The fifth stipulation concerned cession of the tribal lands. The Union Indians claimed this was punishment against all the Indians for the crimes of the secessionists.²⁴

Although John Chupco was principal chief, Pascofa was the Seminole spokesman, and his answer to Cooley was brief: "We did not know when we left home we were coming to make any new treaties," he said, and added that it was his people's desire to come to an understanding with the men who took sides with the South. On September 12, the Seminoles answered all of the seven conditions laid down by Cooley and agreed to them, with the specific provision that only Seminole freedmen and free Negroes formerly resident in the Seminole Nation should be admitted to citizenship—not Negroes from elsewhere.²⁵

Micco Hutke, an able member of the Creek delegation, answered for the loyal Creeks, and his reply was pertinent in most respects to the status of the loyal Seminoles. He described the march of Opotheyahola's followers: "We were threatened with entire annihilation, and compelled to leave our homes and all we possessed in the world, and traveled north in the hope of meeting our friends from the north." He told of the suffering on the march, of the battles with superior forces, and the final clash with the forces of Colonel James McIntosh. "We were completely routed and scattered, and a great many of our women and children were killed," he said, and those who were not captured or killed "traveled to Kansas in blood and snow."²⁶

He pointed out that the First Indian Regiment of Home Guards (Union forces), "which included two companies of Seminoles," was put into service in May, 1862, and was sent to Missouri, Arkansas, and different parts of Indian Territory, taking part in twenty-one engagements. These troops were honorably discharged on May 31, 1865. "We must now most respectfully ask," Hutke concluded, "if you can show us one single instance in which more suffering has been endured or greater sacrifices been made for the cause of the Union; and we most respectfully ask and beg not to be classed with the guilty."²⁷

The sixth day of the council the Unionist factions began to

²⁴ McReynolds, *The Seminoles*, p. 314.

²⁵ *Annual Report*, 1865, pp. 499-500, 509; McReynolds, *The Seminoles*, p. 314.

²⁶ *Annual Report*, 1865, p. 329.

²⁷ *Ibid.*

sign a treaty of peace which had been presented the day before. The Seminoles were one of the first to sign. The provisions of the treaty were peculiar. They gave great attention to the alliance with the Confederacy and to the liabilities it involved. They bore little resemblance to the seven propositions that Cooley had previously announced. In effect, the so-called treaty of peace was a mere recognition of the allegiance due to the United States and possessed no reconstruction features. The absurdity of Unionists being asked to sign such a treaty and the implications thereof were realized by some of the tribes and protests lodged.²⁸

Finally the Southern Indians began arriving at the council from Armstrong Academy. The Confederate Seminoles had good leaders: John Jumper, George Cloud, Fooshatche-Cochuehue, Pahsuch Yaholo, and James Factor. They immediately made their presence felt without repudiating the leadership of John Chupco of the former Union Seminoles. The Southern Seminoles addressed a petition to the commissioners for further consideration of the much discussed problem of adopting Negroes, and asked that no decision be reached on the proposal for a united Indian Territory until they had studied the matter further. The next day Jumper wrote an appeal to Commissioner Cooley for subsistence until his people had an opportunity to make a crop.²⁹ The delegates from the two Seminole factions were able to work together and on September 18, the united Seminoles signed an agreement to permit friendly Indians from Kansas to settle on part of their land.³⁰

Within days the signing of the treaty of allegiance submitted by the government commission had been completed by all the delegations of Indians. Terms for additional treaties with the Creeks and Osages had also been agreed upon, whereby large portions of their tribal domains were to be sold to the United States. After a session of twelve days, the Peace Council adjourned on September 21, 1865, having agreed to meet again at the call of the Secretary of the Interior for the purpose of concluding formal treaties. These treaties should settle all questions of difference arising from the war and reestablish the Indians upon their lands under clearly defined provisions.³¹

With this purpose in mind, representatives of each of the Five Civilized Tribes arrived in Washington in January, 1866. The opposing factions of the Seminoles had not yet physically reunited, therefore a double delegation was sent. Representing the

²⁸ Abel, *The American Indian Under Reconstruction*, pp. 196-198.

²⁹ McReynolds, *The Seminoles*, p. 316.

³⁰ *Ibid.*

³¹ United States Department of the Interior, *Annual Report*, 1865, p. 537; *Annual Report*, 1866, p. 8.

loyal Seminoles were John Chupco, Cho-cote-harjo, and Fos-harjo. John F. Brown, son-in-law of Chief John Jumper and former lieutenant in the Confederate Indian forces, was special representative of the Southern faction. The negotiations were entered into on the part of the government by Cooley, the Commissioner of Indian Affairs, Colonel Parker, and Superintendent Sells, all of whom served on the Fort Smith council commission.³²

Four principal points came up for settlement: (1) The method of adjusting problems between the loyal and southern Indians. (2) The relations which the Negro freedmen should hold toward the remainder of the people. (3) Compensation for losses of property suffered by those who remained loyal. (4) Cession of lands by the several tribes to be used for the settlement of Kansas and other Indians. Commissioner Cooley did not list the granting of right-of-way for railroads as a principal point for settlement, but inasmuch as the item appeared in each treaty, it was a basic provision of the treaties in 1866.³³

. The first nation with whom agreement was made was the Seminoles. They appear to have been especially eager to normalize relations with the federal government, regardless of the implications of treaty provisions, in order to focus their full attention upon the job of reconstruction which faced them in Indian Territory. Their treaty contained eleven articles and was concluded on March 21, 1866; ratification was advised by the Senate on July 19, and it was proclaimed on August 16. The treaty renewed pledges of peace and friendship, and complete amnesty was granted for all offenses resulting from the war. Negro slavery was abolished and the freedmen placed upon an equal footing with the remainder of the people. The Indians ceded to the government the entire domain secured to them by the Treaty of 1856, amounting to approximately 2,169,080 acres, for which they received the sum of \$325,362. They received a new reservation of 200,000 acres (approximately present Seminole County) at the junction of the Canadian River with its north fork for which \$100,000 was deducted. The balance of \$235,362 was to be paid as follows: \$30,000 to establish the Seminole upon their new reservation; \$20,000 to purchase stock, seeds, and tools; \$15,000 for a mill; \$50,000 to be invested as a school fund; \$20,000 to be invested as a national fund; \$40,362 for subsistence and \$50,000 for losses of loyal Seminoles, to be ascertained by a board of commissioners. A right-of-way for railroads was granted through the new reservation, and

³² *Ibid.*

³³ *Ibid.*

a sum of approximately \$10,000 was to be expended for agency buildings.³⁴

The Seminoles agreed to the establishment, if Congress provided for a general council in Indian Territory, looking to the final organization of an Indian state. This council would be convened annually, would consist of delegates from all the tribes in proportion to their numbers, and would have power to legislate upon matters relating to inter-tribal affairs. The laws passed by the General Council were to be consistent with treaty stipulations and the Constitution of the United States, and the Council itself was to be presided over by the Superintendent of Indian Affairs.³⁵

The Seminoles agreed to the diversion of annuities made during the war for the support of refugees, but insisted that the payments due under their former treaties were to be renewed and continued as heretofore. They granted use of 640 acres of land to each religious society erecting a mission or school buildings, to revert to the tribe when no longer used for this purpose.³⁶

The fact that half of the Seminoles had chosen to suffer incredible hardships on the flight from Colonel Douglas H. Cooper's military force rather than repudiate their treaties with the United States had no visible effect upon the treaty makers. The statement in the preamble, to the effect that the United States required a cession of land by the Seminoles and was willing to pay a reasonable price, was not consistent with the price agreed upon. Fifteen cents an acre was the agreed price for the government to pay, yet the Seminoles would have to pay fifty cents an acre for the 200,000 acres of comparable land to be purchased from the Creeks.

Perhaps one reason that the Seminoles could quickly negotiate with the government was because both the loyal and disloyal factions were so stricken after the Civil War that they evinced little concern for political questions. The urge to become settled and to begin the process of reconstruction was possibly the major underlying factor in their reasoning. Their delegates were regarded not as partisan but as national representatives. With respect to the purchase money which would be due from the United States for the Seminole cession, the commissioners arranged that no money would actually pass into the hands of the Seminoles. Out of the sale price was to be deducted the purchase price of the new reserve and all charges for rehabilitation. The disburse-

³⁴ Kappler, Jr., ed., *Indian Affairs; Laws and Treaties*, Vol. II, pp. 910-915.

³⁵ *Annual Report*, 1865, p. 8.

³⁶ *Ibid.*

ment of the surplus, \$90,362, was to be divided between relief and repaying the loyal faction for the losses it had sustained.³⁷

Of historical significance was the contrast between the Choctaw-Chickasaw and Seminole treaties. The Choctaws and the Chickasaws had been in the vanguard of the secession movement and, with some slight wavering, had supported the Confederacy until the end. They were a powerful group compared to the Seminoles and their leaders (generally mixed bloods of French or British descent) were shrewd politicians. Their delegates did not go to Washington just to sign a treaty; rather they were prepared to bargain for the best terms possible. Their instructions were not to cede under any condition any portion of the territory they occupied. If the United States commissioners should insist, they might make concessions but were to demand compensation. They were also to demand compensation for the emancipation of their slaves.³⁸

Their treaty contained no preamble like that of the Seminoles, and therefore no charge of liability to forfeiture, no statement of indebtedness, and no presumptive evidence of guilt. Thus the wording of the Seminole treaty erroneously made that tribe sound more guilty of war disloyalty than the Choctaw and Chickasaw.

Unfortunately, the government surveyors erred in platting the new lands for the Seminoles. Later it was discovered that some of their principle settlements were on a tract outside their eastern boundary, on land belonging to the Creeks. Eventually, this tract was purchased by the Seminoles for one dollar an acre, out of the Creek cession to the United States, and the final Seminole domain included this tract and the 200,000 acres assigned under the Treaty of 1866, or a total of 365,854 acres.

By 1868 the Seminoles were self-supporting agriculturally. Part of the new land was fertile and admirably suited for stock raising. The major problem was that arable land was limited to about 50,000 acres, and this was not sufficient to provide each individual with enough land to live comfortably. By this time the Seminoles were also realizing that they had been defrauded in the land transaction of the 1866 treaty. They were also unhappy because their Civil War soldiers' bounties were not handled efficiently.³⁹ Another financial grievance was that a new mill, for which the Seminoles had made a \$15,000 appropriation, had not been properly built. Instead an old mill had been reconstructed which was barely workable. Some of the most successful of the

³⁷ Bailey, "Reconstruction in Indian Territory, 1865-1877", pp. 90-97.

³⁸ *Ibid.*

³⁹ *Annual Report*, 1869, p. 471; *Annual Report*, 1870, p. 301.



(Kirk Collection, Oklahoma Historical Society)

JOHN CHUPCO
CHIEF OF THE NORTHERN SEMINOLES
1866



JOHN JUMPER
PRINCIPAL CHIEF OF
THE SEMINOLES
1861-1877

John Jumper was of the old line of Seminole chiefs and leaders from Florida to the Indian Territory in 1842. He signed the Seminole Treaty with the Confederate States in 1861, and served as Lieutenant Colonel of the First Seminole Mounted Volunteers, C. S. A., during the war.

JOHN F. BROWN
PRINCIPAL CHIEF OF
THE SEMINOLES
1877-1919

John F. Brown, nephew of Chief John Jumper, represented the Southern Seminoles at Washington in making the Treaty of 1866. He had served as Lieutenant in the Confederate Army.



1866 treaty provisions with the Seminoles were those involving the freedmen. With their long history of amiable relations with the Negro, and acceptance of free Negroes into the tribe, these provisions did not prove to be a problem during reconstruction.

Thus, the 1866 treaty had lasting effects upon the Seminoles. The General Council to govern the entire Indian population of the Indian Territory failed to serve as a tool towards territorial government and was soon dropped, and no railroads were built through the Seminole Nation until 1898. Other provisions of the treaty had more immediate and lasting effects. Those Negroes who had formerly lived among the tribe were accepted into full citizenship after the Civil War. Again the Seminoles were forced to begin settlement in a new area and, as had happened before, they were mistakenly allowed to settle on Creek land.

Not since 1819 had the Seminoles enjoyed a full decade without conflict or resettlement. One indication of the severity of conditions during that period was that the Seminole population decreased by about forty percent from 1819 to 1859. The reconstruction treaty at first proved to be another obstacle to progress under the United States. The Seminoles were taken advantage of in regard to their territorial holdings. Some settled on Creek land causing uncertainty as to ownership and hindering the building of permanent improvements. Mishandling of Seminole finances by the federal government also continued to plague the nation.

But the treaty was also the beginning of a long period of relatively peaceful and stable life for the Seminoles. Their new territory, which was officially enlarged by approximately 175,000 acres in 1881 when they purchased former Creek land along the eastern border was to be Seminole country until it was allotted to individual tribal members. In 1897, the Dawes Commission and Seminole representatives signed the Seminole Agreement, and by 1902 land allotments in severalty had been made to all Seminole citizens. Tribal government was extinguished in 1906 in preparation for Oklahoma statehood the next year. Thus, the 1866 treaty marked the beginning of forty years of peace, growth, and stability for the Seminoles.

ANCESTRY OF CAPTAIN NATHANIEL PRYOR

By Glenna Parker Middlebrooks and Elizabeth Pryor Harper*

The earliest known record of Nathaniel Pryor, "1st Sergeant"¹ in the Lewis and Clark expedition, is that of his marriage to Margaret (Peggy) Patton in Jefferson County, Kentucky, May 17, 1798.² It is estimated that each was about twenty-three years of age.

Through Floyd family data it has been established that Nathaniel was a son of John and Nancy (Floyd) Pryor of Amherst County, Virginia.³ Certainly Nancy was a daughter of William and Abidiah (Davis) Floyd of that county, but John's parentage has never been documented. Proof that Nathaniel had brothers and sisters comes from the will of James Pryor, drawn in New Orleans on Christmas Day, 1814, and probated in Jefferson County, Kentucky, August 13, 1822.⁴ The heirs named were James Gilly, son of John B. Gilly, one thousand dollars at maturity; brothers, Robert L. Pryor and Nathaniel Pryor; Robert McClelland; sisters, Jane B. Gilly and Eliza Oldham. After James Gilly's one thousand dollars were taken from the estate, other parties mentioned were to have equal shares of the remainder. Robert McClelland had married Nancy Pryor, who was deceased at the time the will was made. James Gilly was James Pryor's namesake as well as his nephew. John B. Gilly was named executor.

Peggy Patton, Nathaniel's bride, was the middle daughter of the three born to James and Mary (Doherty?) Patton, and the whole family is known to have been with the "settlin' folk" who left Redstone Old Fort with George Rogers Clark and his Illinois-

*The authors are both former public school teachers who have devoted themselves to genealogical research for some years. Elizabeth Pryor Harper is a world traveler with her husband, and has specialized in research on the Pryor family genealogy both in the United States and abroad. Glenna Parker Middlebrooks is a writer who collaborated with her husband, the late Dr. A. J. Middlebrooks of Centenary College, on the life of Holland Coffee appearing in the *Southwestern Historical Quarterly*.—Ed.

¹Donald Jackson, editor, *Letters of the Lewis and Clark Expedition with Related Documents, 1793-1854*, (Urbana: University of Illinois Press, 1962), p. 645. Hereinafter referred to as *Letters and Documents*.

²Jefferson County, Kentucky, Marriage Records, Book 1, p. 30.

³Floyd family data compiled by Elizabeth Pryor Harper, Shreveport, Louisiana; Anna M. Cartlidge, Baltimore, Maryland, Floyd family genealogist; Colonel Floyd Farrar, (deceased) great-great-grandson of Mary Lee Floyd, a sister of Sergeant Charles Floyd, only casualty of the Lewis and Clark expedition.

⁴James Pryor's will, Jefferson County, Kentucky, Will Book 2, p. 183.

bound militia on May 12, 1778.⁵ Peggy's older sister was named Martha, her younger, Mary.

In Kentucky, James Patton had large holdings in and about Louisville, where he was a town trustee and active in the affairs of the settlement.⁶ He built a stone mansion and in 1797, when the office of falls pilot was created by law, it was decreed that the Jefferson County Court appoint only competent men to the place. Captain Patton was the first man chosen for the new position.

No description of Nathaniel Pryor's physical appearance has been found. In his official military record men listed along with him are identified as to age, birthplace, height, color of eyes and hair, complexion and occupation before entering military service. For Captain Pryor every space is blank. Only his service record is given, and much of it is almost illegible.

A descendant of one of his later marriages said, "I never saw a man in the Pryor branch of my family who was not rather handsome. They were gentlemen, too, always kind and thoughtful toward everyone."⁸ While family characteristics and physical features are not always identifiable in offspring, the following description of Nathaniel's uncle, Colonel John Floyd, brother of Nancy Pryor, is interesting: "Colonel Floyd was . . . over six feet high, very military in his bearing, of beautiful appearance, exceedingly agreeable . . ., an impressive manner that gave him great influence."⁹

Through his grandmother, Abidiah (Davis) Floyd, Nathaniel is said to have descended from Nicketti, a sister of Pocahontas. William and Abidiah Floyd moved to Kentucky from Virginia and were still living in Jefferson County in 1800. Although they were past ninety years of age, they were "erect and handsome—the wife with fine, calm, bright eyes and white teeth, with all

⁵ Isabel McLenna McMeekin, *Louisville, the Gateway City*, Messner, Inc.

⁶ Reuben Thomas Durrett, *The Centenary of Louisville*, (Louisville: John E. Morton and Company), printed for the Filson Club, 1893.

⁷ Military service record of Nathaniel Pryor, General Services Administration (GSA), Washington, D.C.

⁸ Statement by Elizabeth Pryor Harper, Shreveport, Louisiana.

⁹ In making a xerox copy of this source the title of the book was inadvertently omitted. The author of the biographical sketch of Colonel Floyd says he "gathered the facts in this sketch from records of the land office in Kentucky, from depositions of contemporaries of Col. Floyd, from recent letters of his granddaughter, Mrs. Lettic P. Lewis, of Va., and from other manuscript and printed sources gathered with much labor. H.H.C.," pp. 238-239. The rare book is in the library at Mississippi State University, Starkville, Mississippi.

the countenance, high bearing, courage and composure which characterized noble forest ancestry.¹⁰

An unproven point which may be accepted as valid is that Nathaniel's and Peggy's marriage was of short duration. On June 18, 1803, Meriwether Lewis, in writing instructions to William Clark in Louisville, Kentucky, stipulated that in receiving applications for membership in the expedition which the two were to lead to the Pacific, he was to consider only those men who were "good hunters, stout, healthy, unmarried men, accustomed to the woods, and capable of bearing bodily fatigue in a pretty considerable degree."¹¹ So on October 29, 1803, when he enlisted for service in the expedition,¹² Nathaniel Pryor's marital status was that of a single man, due no doubt to the death of his young wife, for divorce was very rare.

No record of children by this marriage has been found, but some members of the Pryor-Floyd families think there was a son. They base their conclusion on sketches of the life of Nathaniel (Miguel) Pryor, who is said to have been born near the Falls of the Ohio in 1798.¹³ An account states that in 1820 he went to Missouri and by 1821 he was with trader Hugh Glenn who had located on the Verdigris either with or near Captain Pryor.¹⁴

Independent accounts of the travels of both Jacob Fowler¹⁵ and General Thomas James¹⁶ leave no question as to the identity of the Nathaniel Pryor who was with them: He was the one who had served with Lewis and Clark. Pryor traveled with one party or the other—at times the two were combined—from September 21, 1821, to June 20, 1822, before he returned to his post on the Verdigris River. Where Nathaniel (Miguel) Pryor was at this time is not known, but a line from the diary of Colonel Auguste Pierre Chouteau, April 4, 1824, provides some basis for the belief that Miguel, as he was known later, was still with the man said to be his father. Colonel Chouteau's entry read: "Young Pryor came by the place [where Nathaniel Philbrook, sub-agent, had been murdered] a few days later, and discovering Philbrook's

¹⁰ *Ibid.*

¹¹ Jackson, *Letters and Documents*, p. 58.

¹² *Ibid.*, p. 378.

¹³ Raymond W. Settle and Ward Lund "Two Nathaniel Pryors, a Problem of Identity," Ms. Library, Oklahoma Historical Society, Oklahoma City, Oklahoma.

¹⁴ *Ibid.*

¹⁵ *Journal of Jacob Fowler*, Elliott Coues, ed., 1898.

¹⁶ Grant Foreman, *Frontier Days in the Early Southwest* (Cleveland: Arthur H. Clark Company, 1926), p. 48-49-52.

horse, saddle bags and 'cloque' learned the sad story of his death."¹⁷

Colonel Chouteau, born in 1786,¹⁸ was approximately eleven years younger than Captain Pryor, who in 1824 was nearly fifty years old. At the age of thirty-eight Chouteau would not have spoken of a man of fifty as "Young Pryor." Nor could the discoverer of the foul play have been a son by Pryor's Osage wife for dates showing his presence in other localities indicate that Pryor's marriage to the Indian woman did not take place till about 1818.

Nathaniel (Miguel) Pryor is said to have lived in New Mexico four years before he joined the Patties in their excursion through the West. He left them in California to settle in the Los Angeles area, and it was there that he became Miguel, el Paltero, because he worked as a silversmith and clockmaker. He married a Mexican girl, raised a family and lived the remainder of his life in the vicinity. In 1847 he served as city alderman, and in 1850 he died, nineteen years after Captain Pryor's death on the Verdigris.

Identified as one of the "nine young men from Kentucky"¹⁹ who enlisted with Lewis and Clark, Nathaniel Pryor served from October 20, 1803, until the company disbanded in St. Louis on October 1, 1806.²⁰ For this stint of three years—lacking ten days—he drew \$250.78 plus a certificate showing that he was entitled to a tract of 320 acres of land which he was to choose in the territory west of the Mississippi River.²¹

On the following February 27th, Pryor enlisted in the First Infantry, U.S. Army, with the rank of ensign.²² Soon afterward he was assigned the duty of returning Chief Sheheke and his party to their Mandan village on the Upper Missouri.²³ In spite of great tact and courage on the part of Pryor and others of the escort, they were forced to turn back because of the hostility of

¹⁷ *Ibid.*, 210.

¹⁸ Jackson, *Letters and Documents*, p. 412.

¹⁹ *Ibid.*, 118.

²⁰ *Ibid.*, 378.

²¹ *Ibid.*, 377.

²² Military service record of Nathaniel Pryor, GSA, Washington, D. C.

²³ Jackson, *Letters and Documents*, pp. 383-84. (The accepted Anglicized form of the name of the Mandan, a Siouan tribe, chief mentioned here is *Shahaka*, found in Government bulletins and original documents. The native spelling is *Sheheke*, meaning "coyote," a form seldom seen in historical accounts.—F. H. Hodge, *Handbook of American Indians*, Bureau of American Ethnology, *Bulletin* 30, (Washington: 1912, Vol. II, p. 518.)

the allied Arikaras and Sioux, who were at war with the Mandans.²⁴ His next assignment was at Cantonment Belle Fontaine, where he was promoted to second lieutenant on May 8, 1808. In August of that year Lieutenant Alpha Kingsley was sent up the Mississippi to establish a new post, Fort Madison, and Pryor went with him as second in command.²⁵ Early in 1809 the new fortification was threatened by marauding Indians, and Pryor was sent to St. Louis with an urgent request for aid. However, the alarm proved false, and the relief troop sent by Governor Meriwether Lewis returned after a disagreeable and useless errand.

Possibly by this time Second Lieutenant Pryor was beginning to feel that misfortune was too much with him, or he may have become interested in the stories of quick riches from the lead mines at Galena, Illinois, up river from Fort Madison, but whatever the cause he resigned his commission with the army on April 1, 1809.²⁶ From that time to January 1, 1812, there is slight record of his whereabouts. On the latter date a swarm of angry Winnebagoes rose from their lodges along Rock River, plundered the mining-smelting operation he had set up and killed two of the friendly Indians who worked for him.²⁷ At first it was reported that Pryor was slain, along with George Hunter, a fellow miner-trader, but later it was learned that both men, on being warned by an Indian woman, escaped down the Mississippi—minus all of their possessions. Pryor estimated his loss at more than five thousand dollars.²⁸

A part of the time between April 1, 1809, and January 1, 1812, is accounted for by a family legend which pride has hushed for more than a century and a half. At the time he left the army Pryor had relatives—Pryors possibly, Floyds certainly—in Georgia. According to the 1850 census records for Jefferson County, Kentucky, Eliza (Pryor) Oldham—she of the James Pryor will—was born in Georgia in 1794, and in 1818 a John Pryor paid taxes in Oglethorpe County, Georgia. Also known to be in the same county was Mourning (Floyd) Stewart, only child by the first marriage of Nathaniel's uncle, John Floyd. Years before in Virginia she had become the wife of Charles Stewart, and with his mother the young couple had moved to Georgia where all of them settled on bounty lands which came to them through the service of John Stewart, husband and father, who

²⁴ *Ibid.*, pp. 432-38.

²⁵ *Ibid.*, p. 642.

²⁶ Military service record of Nathaniel Pryor, GSA, Washington D. C.

²⁷ Jackson, *Letters and Documents*, p. 642.

²⁸ *Ibid.*, p. 641.

participated in the battle of Point Pleasant and in the Revolutionary War.²⁹

About the time Nathaniel Pryor left for Fort Madison the William Melton family lived in Greene and later Putnam County, Georgia. Melton was a leading citizen in whatever community he lived. He was a zealous Baptist, a rigidly strict father of numerous progeny, and a colonel in the Georgia militia. Sharing command with Colonel Lamar he led his unit in the capture of Fort Fidéus, Greene County, Georgia,³⁰ a move made to circumvent General Elijah Clark's efforts to aid Citizen Genet.

Among Colonel Melton's several children was a pretty daughter, Nancy, who was born July 10, 1789. According to Putnam County records Nancy married William Pryor on February 23, 1811.³¹ The name of the groom, however, has come down through five generations of Meltons as William Nathaniel. He was called the latter which was not perpetuated among his descendants because among them the name meant dishonor for he left his bride within a few weeks, saying he was going back to Kentucky for fine horses by which he would improve Georgia stock. In the community it was whispered about that he would not return for he could not tolerate his over-pious Melton in-laws. The rumor proved correct—he did not return.

Seven years Nancy waited for him, but in 1818 she asked for and was granted a divorce by the Georgia State Legislature.³² The parties named were Nancy S. Pryor and William H. Pryor, her husband. Descendants of William Stokes Pryor, son by this marriage, born November 15, 1811, say the printed record now available is incorrect. According to Georgia State Library officials there is no copy of the original, handwritten minutes to show if the initial *H.* was mistakenly transcribed from the letter *N.*

Possibly it was the report that her wayward husband had become a "squaw man" in Arkansas Territory that caused Nancy to sue for a divorce. However that may be the story did seal Nathaniel's fate as a skeleton in the Melton family closet. Except in private family sessions his name was not mentioned again, and Stokes was left in Putnam County with his great-uncle, Thomas Melton, when William and family moved to Walton County.

About 1912 Robert Quarles Pryor, son of William Stokes

²⁹ Letter from Anna M. Cartlidge, Floyd family genealogist, to Glenna Parker Middlebrooks, October 25, 1964.

³⁰ Richard K. Murdah, *The Georgia-Florida Frontier, 1793-1796* (University of California Publications in History, 1951), p. 152.

³¹ Copy of original marriage certificate, Putnam County, Georgia.

³² *Georgia State Senate Journal*, December, 1818, p. 62.

Pryor, was a resident of Perry County, Alabama, and patriarch of the clan, when he learned that there was to be an observance of some kind in Oklahoma in which his "black sheep" grandfather was to be honored. Resentful, but curious, he thought the matter over and curiosity triumphed. He called his aging sisters and adult children together, told them that he was going to attend the celebration and warned them that they were to tell no one of his trip.

At the event he listened attentively to speeches eloquently detailing a character very different from the one in the Melton closet. He talked with visiting dignitaries and local people, gathering all of the information he could to take back to his waiting family.

In the cool shade of the deep porch about his Alabama home he recounted his experiences to the close kin he had taken into his confidence. He told them of a strange Nathaniel who was a courageous ambassador for peace between frightened, warring and frequently starving Indians in an alien land. He told of the terrible misfortunes that plagued the steps of this worthy man—how he worked tirelessly without recognition and with little or no pay. Frontiersman Nathaniel was honored among both white men and red for his high principles, his adamant sense of justice. When Robert finished, there was a long moment of stunned silence. Was he trying to shape *honor* from the disgraceful black stain on the family escutcheon?

"Well," daughter Zula finally voiced the concern of the group, "I suppose you told those people that you are Nathaniel Pryor's grandson?"

"No," Robert replied, the complete Melton again, "I could not acknowledge that with pride. The taint is still there."³³

On August 30, 1813, Nathaniel Pryor re-enlisted in the army, this time with the Forty-fourth Infantry. Going in as first lieutenant he served through the remainder of the War of 1812 and came out with a captaincy and an honorable discharge on June 15, 1815.³⁴ Following that there was another lapse of almost two years in which there is no record of his whereabouts, but subsequent events indicate that he may have returned to Kentucky then by way of St. Louis gone to Osage country.

That he was in Kentucky at this time is supported by a legend which originated with the Cherokees, who in 1829 occupied an area in Arkansas Territory formerly held by the Osages. There in the hands of French traders and mixed bloods they found a number of excellent horses which were said to be from fine stock

³³ Elizabeth Pryor Harper, fifth generation descendant of William H. (N.?) Pryor and Nancy (Melton) Pryor.

³⁴ Military service record of Nathaniel Pryor, GSA, Washington, D. C.

brought from Kentucky by a trader named Pryor.³⁵ This represents achievement of intentions expressed by William H. (N?) Pryor when he left his young wife, Nancy, in Georgia in 1811. Seemingly he changed only his point of delivery, possibly unwilling to go back to the staid, over-prim orthodoxy he found in his in-law family in Georgia and at the same time lured irresistibly by the thought of free life on the new frontier.

That he was in St. Louis before he arrived in Osage territory seems probable since tradition says that Pryor came to the Nation as a representative of Chouteau's trading establishment.³⁶ Certainly he had known the famous French traders since the winter of 1803-1804, when the Lewis and Clark "Corps of Discovery" was formed at the Wood River base and members of the group frequented the town. In 1807, when Ensign Pryor commanded the military escort assigned to conduct Chief Sheheke and his party back to their village on the Upper Missouri, he also provided some material and protection for Lieutenant Auguste Pierre Chouteau, his crewmen and a large boat of trade goods.³⁷ Chouteau now supervised trade with the Osages along the Verdigris and Grand (Neosho) Rivers with a post and handsome residence on the latter, only ten miles from where Pryor would settle on the Verdigris one and one-half miles above its junction with the Arkansas River.

The earliest record of Pryor's activities among the Osages locates him at Arkansas Post in 1817, two years after he left service at the end of the War of 1812. At the Post he and his partner, Samuel B. Richardson, had a trading house and shared ownership of a tract of land with George R. Sampson.³⁸ On November 28, 1819, he received a license from Robert Crittenden, acting-governor of Arkansas Territory, to trade with the Osages on the Arkansas River "with one trading boat to the six bull or Verdigris, together with all hands appertaining thereto."

The exact date of his removal from Arkansas Post to the site on the Verdigris is unknown, but the English scientist, Thomas Nuttall, met him on the Arkansas "descending with cargoes of furs and peltries, collected among the Osages."³⁹ This was in March, 1819, and in May Nuttall met him again at the "little trading settlement" of Three Forks, so called because of its proximity

³⁵ Joseph B. Thoburn, "New Light on the Career of Captain Nathaniel Pryor," *Proceedings of the Society at Its Sixty-fourth Annual Meeting*, Publications of the State Historical Society of Wisconsin, Madison, 1917, p. 145.

³⁶ *Ibid.*, p. 143.

³⁷ Jackson, *Letters and Documents*, 1962, p. 382.

³⁸ Grant Foreman, "Nathaniel Pryor," *Chronicles of Oklahoma*, Vol. 7, 1929.

³⁹ *Ibid.*, p. 154.

to the junction of the Verdigris, the Grand and the Arkansas Rivers.

It was during his residence here that travelers through the area began to speak of Pryor's Osage wife. It is generally assumed that the two met and married in this vicinity, but other events indicate that such conclusion might bear further investigation.

According to tradition the marriage took place "Osage style" in the presence of assembled band to which the bride belonged. Except for the following church record from St. Mary's Mission, Marmeton, Kansas, there is no mention of her name: ⁴⁰

1841, Nov. 11, *Mary Jane*, daughter of Capt. Pryor and Osage woman. Sponsors Francois Chikive Argurite, Osage Nation, baptized at Marmeton, aged 17 years.

1841, Nov. 11, *Angelique* dicta (Capt. Pryor's) Osinga; sponsors, Jos. Swiss and P. Melicours Papin at Marmeton, aged 55 years. -Rev. H. G. Aelon, S. J.

1842, Sept. 1, Rev. J. F. L. Verryds, S. J.: "I have baptized without ceremonies *Marie Prior* 24 yrs. at Osage River."

The baptismal rites took place ten or eleven years after Captain Pryor's death on the Verdigris about June 10, 1831. ⁴¹

In spite of the spelling of the surname, a common error in Nathaniel's record, Marie Prior is accepted as being a daughter of Captain Pryor and Osinga. If she was, her parents had met by 1817, or before if she was not the oldest child. Possibly they married on the Osage then went to Three Forks.

The Osage Rolls contain clues for tracing the descendants of Pryor and Osinga, but links are missing. Among listings which seem most significant are: "Allottee No. 251 He-he-kin-to-op-pe, Jan. 1, 1894 Full (Mary Jane Pryor); 450 (Mary Pryor) Jan. 1, (dead)." ⁴²

Franklin County, Missouri, marriage records show that on March 17, 1849, Mary Jane Pryor was married to Charles Alderman. ⁴³ This fragment introduces the thought that if Mary Jane of the marriage records and Mary Jane of the Rolls are the same person, she was back at the place of her birth seventy years later, and in so doing she may have been following a pattern set by her

⁴⁰ *The Church Registers—Osage Indian Mission, Upper Missouri Indians, St. Mary's, Kansas.* Missouri Historical Society, St. Louis, Missouri.

⁴¹ Foreman, "Nathaniel Pryor," p. 155.

⁴² Data from *Osage Rolls*. (The term "Full" here means "full blood," or a full blood Osage.—Ed.)

⁴³ See reference fn. 40 *supra*.

mother in her return to the Marmeton-Osage area after Captain Pryor's death.

Allottee No. 460, William Pryor, was a son of William Pryor (Quiver) and his wife Mary.⁴⁴ In Quiver's household, likely in the 1880's, there were two sisters, Rosie and Julia (Sacred-Arrow-Shaft) Pryor, who wore "the prissy clothes of the Heavy Eyebrows of the day."⁴⁵ Among their forebears was Baptiste Maugraine (Mongrain), son—or grandson—of a French trader and an Osage beauty but Rosie and Julia had little French blood. Since they lived with Quiver's family and bore his surname, they may have been related to him but the nature of the kinship is unknown.

There were two Maugraines who bore the name Baptiste: they were of different generations—uncle and nephew—with the young man being the son of Joseph Noel Maugraine. The senior Baptiste was fifty years old when Tixier visited the Osages in 1839-1840. The other was considerably younger for his father, Joseph Noel, though head of his lodge and a brave warrior, was regarded by the senior Baptiste as too young to have a voice in the councils. Which of the two Baptiste's was Julia's forefather is not recorded, but one might hazard the younger for he had a sister named Julia.⁴⁶

Also young Baptiste had a sister named Sophia, who married P. Melicours Papin,⁴⁷ sponsor for Osinga when she became a member of the Catholic Church. A son of Joseph Marie and Marie Louise (Chouteau) Papin, P. Melicours was forty-eight years old, seven years younger than Osinga at the time of the baptizing. Eight years later he died in St. Louis and left a will in which he bequeathed a lot to the Catholic Church in Papinsville, Bates County, Missouri, and all the remainder of the land he owned in the county plus three thousand dollars to his son, P. Melicours, whose mother was Mitiehais, an Osage woman.⁴⁸

Sophia, sister of the younger Baptiste Maugraine, was wife of P. Melicours, Senior, in 1840, and twenty-three years his junior. They had a two-year-old son, Edward, and living with them was Sophia's mother, Achinga, "who did the cooking."⁴⁹ Both

⁴⁴ Letter from B.C. Schrock, acting-superintendent, Osage Agency, Pawhuska, Oklahoma, February 8, 1966 to Glenna P. Middlebrooks.

⁴⁵ John Joseph Mathews, *The Osages, Children of the Middle Waters* (Norman: University of Oklahoma Press, 1961), p. 767.

⁴⁶ John Francis McDermott, ed., *Tixier's Travels on the Osage Praries—1839-1840*, p. 123n.

⁴⁷ *Ibid.*, p. 118.

⁴⁸ *Ibid.*, p. 119.

⁴⁹ *Ibid.*, p. 118.

Achinga and Osinga are phonetic spelling of the word A-ci'n-ga, which means "fourth daughter."⁵⁰ In an Osage family formal names were given to the first three daughters born to a man and wife so any who had a fourth daughter probably would have an Achinga—or Osinga, depending on the ear of the French recorder. There are two different records of Papin's mother-in-law. Perhaps neither tells the whole story.

After the War of 1812 long wagon trains of immigrants came down the Osage Trail and lesser roads joining it. Jolting in before Osage footprints were cool, these land-hungry Anglo-Americans claimed title to the lands their beneficent government had wrested from the red men by treaty. Somewhere among these restless seekers for new opportunity were the Shobes, who touched mysteriously on the Pryor story. In the county clerk's office at Sherman, Grayson County, Texas, there is record of an adoption which shows that Maud Williams (full name according to family tradition, Maud S. Pryor Williams) signed over her small daughter, Lizzie, to C. W. and S. W. Shobe, who made affidavit that "we hereby adopt and give unto this child our name calling it Lizzie Shobe and giving it all rights and privileges of our own child constituting it our legal heir having the right to inherit our lands and property at our death."⁵¹

There is a story that Maud S. Pryor Williams was ill from milkleg, usually associated with childbirth, and did not expect to recover. Her husband, Frank Williams, was not with her and his absence is unexplained. Also unknown is the fate of a younger child, possibly an infant, called Omah.

The Shobes took Lizzie as their "own child" on November 27, 1882.⁵² In March, 1883, Charles W. Shobe, with little Lizzie, went to San Antonio, Texas, where she was left in a Catholic orphanage.⁵³ As Lizzie recalled in her later years she was seven years old at the time and for the next eleven years she had no communication with anyone in the outside world. She never knew what became of her mother or her small sister, nor did she ever hear from the Shobes again.

The Dallas County Census, 1900, shows Lizzie married to Henry L. Cooper and her birth date and place as 1879, Indian Territory, which represents a slight discrepancy in Lizzie's think-

⁵⁰ Letters from John Joseph Mathews, Pawhuska, Oklahoma, September 27, 1966.—(Notes) from Lenore Harrington, Librarian, Missouri Historical Society, St. Louis, Missouri, September 22, 1968.

⁵¹ Grayson County, Texas, Adoption Records, Book 58, p. 6.

⁵² *Ibid.*

⁵³ Letters from Emmaline (Herrimaen) Giles, Reno, Nevada, to Glenna Parker Middlebrooks, January 20, 1966; October 14, 1966.

ing concerning her age. If she is to be credited with her recollections of her early life, however, she would have been nearer seven than three at the time of her adoption. Also it does not seem likely that the authorities at the orphanage would have released a fourteen-year-old girl who had no relatives to give a home.

By 1920 Lizzie had married again, this time to a man by the name of Herrimaen, and she had children by both husbands. To these children she tried to pass on what she could recall of her mother's story: "Maud's father was an Indian chief, her mother could not speak English, and her great-grandfather was a white man named Nathaniel Pryor. The town Pryor, Oklahoma, was named for him." Because of her ancestry she had "rights." Lizzie recalled that a man by the name of Burnett came to the Williams' home occasionally and brought money, which in her mature years, she felt was an allotment.

After the death of her second husband Lizzie went to California to live near her two older Cooper daughters who had moved there. While the family was out driving one day, they came to the intersection of Wilshire and Western in Los Angeles and saw Jackson Barnett, eccentric Creek oil millionaire, carrying out his self-assigned task of directing traffic. At once Lizzie recognized him as the man who brought money to her family when she was a child. Instead of trying to get in touch with him she hurried back to Maud, Oklahoma, which she thought was named for her mother. She found no clue concerning Maud S. Pryor Williams, but she heard that the Shobes had been there, leased land to an oil company then Mr. Shobe had died and his wife had moved away, no one knew where.

Lizzie returned to Los Angeles, for she did not know how to proceed further her search. A young lawyer listened to her story and promised to help her, but before they made any progress, Pearl Harbor was bombed, and he was called into service. While he was away, Lizzie died.⁵⁴

Maud S. Pryor Williams' grandchildren are still trying to untangle the fragile thread of lineage which Lizzie gave them, but the raven fate which seemed to hover over Captain Pryor throughout his life plagues his tradition with equal persistence so an anxious posterity may never find a firm link with this worthy but mysterious man.

⁵⁴ *Ibid.*

THE TRIAL OF EZEKIEL PROCTOR AND THE PROBLEM OF JUDICIAL JURISDICTION

By Daniel F. Littlefield, Jr., and Lonnie E. Underhill*

On April 15, 1872, at the session of the district court in Goingsnake District, Cherokee Nation, there occurred a gunfight that left nine men dead and numbers wounded, two of them mortally. The episode became known in the history of eastern Oklahoma as the "Tragedy of Goingsnake" or the "Proctor-Beck Fight." The fight resulted from the attempts of a United States marshal from Fort Smith and his posse to arrest and take to Fort Smith Ezekiel Proctor who was on trial for the killing of one Polly Kesterson.¹ Such a dramatic event had its immediate as well as its long-range effects. Immediately, it caused the federal government to pause to examine the conflict which had arisen over matters of jurisdiction between the U.S. District Court in Fort Smith and the courts of the Cherokee Nation. The long-range effect of the episode was to add to the lore of that area a series of stories, often based more on fancy than on fact. Many such stories have unfortunately not dealt kindly with some of the people involved, especially with Proctor himself. Too many writers have painted him as a "bad man," murderer, and outlaw, when actually, the records show that he was a successful farmer and rancher and lawman of some note. It is doubtful that all of the details will ever be known, but a more complete and accurate account of that fateful event can be given.

The known facts of what precipitated the trial, and therefore the fight, are few. On the morning of February 13, 1872, Ezekiel Proctor went to Hildebrand's Mill on Flint Creek about a half mile north of and across the creek from the present Flint, Oklahoma. There a gunfight ensued between Proctor and James Kesterson, during which Mrs. Kesterson was killed. Proctor turned himself in, willingly giving himself up for trial.² What actually transpired at the mill may be lost to history, but the story is,

* Daniel F. Littlefield is an Assistant Professor of English at the University of Arkansas at Little Rock, and Lonnie E. Underhill is an instructor of English at the University of Arizona, Tucson.

¹ Proctor was born July 4, 1831, the son of William Proctor and Dicey Downing. Many sources call the victim "Polly Chesterson"; however, Starr's *History of the Cherokee Indians* gives the name as spelled here as does the statement of a grandson of Mrs. Kesterson in Virgil Berry, "Uncle Sam's Treaty With One Man," Notes and Documents in *The Chronicles of Oklahoma*, Vol. XXXII (Spring, 1954), p. 228.

² *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 4; E. H. Whitmire in *Indian-Pioneer History* (Indian Archives Division, Oklahoma Historical Society), Vol. II, p. 373; hereafter cited *Indian-Pioneer History*.

**EZEKIEL PROCTOR**

From a photograph loaned by his granddaughter
Elizabeth Walden

as it was told to E. H. Whitmire, that Proctor went to the mill to talk to Kesterson, with whom he was "having trouble over some stock." When he arrived at the mill, he and Kesterson got into a heated argument, Kesterson reached for a gun, and the shooting started. Mrs. Kesterson, trying to save her husband, got between them and was shot and killed.³ Mrs. Elizabeth Walden of Watts, a granddaughter of Proctor, says that Proctor went to the home of his brother-in-law, Charley Allen, where he left his family. He then rode one of Allen's horses to the home of Jack Wright, Sheriff of Goingsnake District.⁴

Just what the trouble over the livestock was is unclear. Some stories say that Kesterson had accused Proctor of stealing a cow and that Proctor came to the mill to get revenge. Others discount those stories because Proctor had previously been a sheriff and was at that time a quite prosperous farmer and rancher. A more likely story comes from one of the elderly members of the Beck family. He says that Mrs. Kesterson was well-to-do and had a number of cattle running on open range; the cattle were destroying the crops of the Indian farmers that lived on the Illinois River to the south. Mr. Beck says that Proctor was at the time a deputy sheriff and went to the mill to tell Kesterson to keep his cattle closer to home; during the discussion the fight ensued.⁵

However, there may be another side to the story. In interviews, both Oscar and Kermit Beck called the trouble that followed the killing "a family fight." Mrs. Kesterson was Polly Beck, who married first Aaron Downing, a relative of Proctor, whose mother was a Downing. Her second husband was James Crittenden and her third Stephen Hilderbrand who had bought the mill from a man named Towers. After Hildebrand's death Aunt Polly married James Kesterson, who had been married to Elizabeth Proctor, a sister to Ezekiel. Stephen Hildebrand's sister, Rachel Hildebrand Mitchell, was the mother of Ezekiel Proctor's first wife, Rebecca. Sinia Ann Beck (married to George Selvidge, killed at the courthouse) and Surry Eaton (White Sut) Beck, were the children of Jeffrey Beck and Sally Downing, a cousin to both Ezekiel Proctor and his second wife Margaret Downing. Surry Eaton (Black Sut) Beck, killed at the courthouse, was the son of Joseph Beck and Cynthia Downing, a relative of Proctor's; he married Julia Ann Hildebrand, the daughter of Stephen and Aunt Polly Hildebrand. There were undoubtedly other familiar relationships between the two sides of the conflict,

³ *Ibid.*

⁴ Indian Archives Division, Oklahoma Historical Society, Grant Foreman collection, *Cherokee-Pioneers*. Typescript of essay.

⁵ Oscar Beck (Interview), Colcord, Oklahoma, August 3, 1969.

and the closeness of these ties could admit the possibility of "a family fight."

Whatever personal animosity was involved was overshadowed by the legal struggle that culminated in the shooting. The Becks were evidently incensed at the death of their aunt and felt that justice would not be done if Proctor were tried in the Cherokee Nation. The regular judge of Goingsnake District, Tim Walker, was suspended because he was a relative of the parties involved, and T. B. Wolfe was appointed in his place. He, too, was rejected for the same reason. Chief Lewis Downing then appointed Black Haw Sixkiller as a special judge to try the case. The trial had been in progress four days when Sut Beck, a nephew of Polly Kesterson, and J. A. Scales, a lawyer prosecuting Proctor, filed an affidavit charging Sixkiller with doubtful character, and asking the Chief to suspend him also under a law in 1845, called "An Act to Authorize the Chief to Suspend from Office."⁶

Chief Downing was in a quandary, for he was related to both families. Downing did not feel that the charges were substantiated nor that they fell under the act of 1845, yet since feelings were running high on both sides, he temporarily suspended Judge Sixkiller, and called a meeting of the Executive Council for April 4, 1872.⁷ Downing filed before the Council copies of Beck's affidavit, the Chief's order of suspension of Sixkiller, the proceedings of the Circuit Court at Goingsnake in the case of Cherokee Nation vs. Ezekiel Proctor, statements on the matter by W. P. Boudinot and others, and a statement of the Hon. Charles Thompson relating to the charges.⁸ After deliberation, Captain James Vann stated his opinion which was unanimously agreed upon by those present. He could not see that Sixkiller had erred or broken the law, nor did he find evidence that the allegations of Beck and Scales were such as to warrant the dismissal of Sixkiller. It appeared to Vann that the main burden of the complaint was the ruling of the Judge not to postpone the trial once more, as he had twice done already on a motion of the prosecution. The Judge had also refused to permit the prosecution to impeach the jury before the case was opened. He therefore asked that the Council sustain Judge Sixkiller,

⁶ Indian Archives Division, Oklahoma Historical Society, *Cherokee Vol.* 258, (hereafter cited O. H. S. *Cherokee Vol.* and number), pp. 154-155. Scales claimed that Proctor or his friends tried to get Judge Wolfe to place twelve names on the list of jurors (the Judge was supposed to name twenty-four from which the defendant chose twelve). Wolfe supposedly refused the request three times and then resigned. See House Executive Document, No. 287, 42nd Cong., 2nd Sess., p. 14.

⁷ O. H. S., *Cherokee Vol.* 258, pp. 154-155. Those present were Chief Downing and Counselors James Vann, James Baldridge, Daniel Red Bird.

⁸ *Ibid.*, p. 155.

withdraw his temporary suspension, and recommend that the trial proceed.⁹ Therefore, the Council resolved that the action of the prosecution in the case was reprehensible, that it had "fractiously trumped up charges against Judge Black Haw Sixkiller," that the charges were intended to defeat the ends of justice, to create excitement and prejudice, and to create a delay detrimental to the rights of the prisoner in contempt of the constitution, thereby setting a dangerous precedent.¹⁰

The wording of the Council's resolution suggests their awareness of the problem of jurisdiction, which probably gave them more impetus to avoid setting a precedent. And indeed they had reason to be cautious. The Sheriff of Goingsnake District had held Ezekiel Proctor under arrest, and at the second calling of the court on the case a deputy United States marshal asked the sheriff to release the prisoner to him on the basis of a writ which had evidently been obtained in Fort Smith. The sheriff refused, saying that he would do so only on the order of the acting Principal Chief. The sheriff felt that the marshal might return to take Proctor by force and increased his guard to prevent such an occurrence while the trial was in progress. Then there was a temporary adjournment of the court because of the prosecution's charges against Judge Sixkiller, and when the sheriff saw no further attempts to take the prisoner, he reduced his guards to the usual number.¹¹ Such was the state of affairs until the special circuit court met at the Whitmire schoolhouse in Goingsnake District on April 15, 1872, at the request of Judge Black Haw Sixkiller. The same jury impaneled at the last session was sitting. The prosecutor again questioned the right of the Judge to sit in the trial and of the Principal Chief and Executive Council to give him the power to proceed after having suspended him. Defense lawyer, Moses Alberty, argued that the Judge had not been suspended but only called before the Council which was to determine whether he should be suspended and that the Council had sustained the Judge and ordered the trial to proceed. It was at this point that the gunfight began.¹²

On April 11, Kesterson had filed information before James O. Churchill, United States Commissioner at Fort Smith, seeking a writ for the arrest of Proctor for assault with intent to kill (Kesterson had been wounded in the fight with Proctor). Churchill issued the writ and gave instructions to Deputy United States Marshals J. G. Peavy and J. G. Owens to go to Goingsnake court-

⁹ *Ibid.*, pp. 156-157.

¹⁰ *Ibid.*, p. 157.

¹¹ *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., pp. 4-5.

¹² *Ibid.*, p. 7.

house to arrest Proctor if he was acquitted and bring him to Fort Smith, supposedly for examination.¹³ Thus, armed with the writ and joined by the Beck party, the posse rode to the courthouse.

The posse hitched their horses about fifty yards from the schoolhouse, formed by two's, and moved to the house.¹⁴ The marshals, led by White Sut Beck, cocked their guns as they marched.¹⁵ The time was nearing 11 a.m. No apparent notice was made of them until the leader, White Sut Beck, who had his double-barreled shotgun cocked and presented, ordered the sheriff, stationed at the door, to get out of the way.¹⁶ One of the jurors, George Blackwood, was facing the one door to the courtroom, and noticing the sheriff shoved out of the way, shouted for everybody "to look out that they were coming to get Zeke Proctor and at this instant the shooting began." Johnson Proctor, unarmed and near the door, grabbed the barrel of White Sut Beck's shotgun, pulling it from above head high to between shoulder and waist high. By that time the shotgun had been discharged, scattering all of the shot from the first barrel into Johnson Proctor's abdomen. Proctor, still grasping the barrel of the shotgun, threw the second barrel's shot well below knee level, sending only a few scattered shot into Ezekiel Proctor's legs, one leg receiving a severe wound.¹⁷

Apparently expecting trouble from the white court in Fort Smith, Arkansas, the Indians inside the courtroom were equally heavily armed.¹⁸ The guards selected by the sheriff, were substantial men he trusted. As sworn officers of the law, they were responsible for the safe-keeping and protection of the prisoner independent of any orders from the sheriff. They reacted immediately when they saw what was about to occur. The next shots fired by the posse into the courtroom hit Judge Moses Alberty, attorney for the defense, as he sat at the clerk's table reading the evidence in the case. Alberty, receiving both blasts from a shotgun in his chest, died in his seat without speaking a word. Samuel

¹³ *Ibid.*, p. 15.

¹⁴ Letter of John B. Jones to H. R. Clum, Acting Commissioner of Indian Affairs, October 29, 1873, in Foreman Transcripts, *Letters and Documents: Cherokee, 1826-1884* (Indian Archives Division, Oklahoma Historical Society), p. 149.

¹⁵ *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 5.

¹⁶ Robin Stann in *Indian-Pioneer History*, Vol. 82, p. 350.

¹⁷ *Ibid.*

¹⁸ Fayetteville Arkansas Mountain Echo, April 17, 1872, in *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 10; this news item was dictated by White Sut Beck who claimed that even Proctor himself was armed. But evidence shows that Proctor grabbed a gun from a guard and fired. See Jones, *Letters and Documents; Cherokee, 1826-1884*, p. 150.

Beck stepped in front of White Sut Beck and the attacking column and fell and died, shot by one of the men inside.¹⁹

The men inside the courtroom then transferred the fight entirely outside the small building, filled as it was by the judge, jury, and spectators. They rushed out the door to places where they could return accurate fire. A part of the guard was outside the building at the time the firing began, and soon the battle raged around the building.²⁰

This almost spontaneous reaction on the part of the guard in an effort to protect the prisoner, Ezekiel Proctor, was maneuvered as if planned ahead of time. The order to return fire was not made by the sheriff at the time the fighting occurred. Later, in his report to Chief Downing, the sheriff stated, "This no doubt would have been by my order or otherwise, had the least apprehension been entertained by the authorities interested that an assault of force so deadly was about to be made." Sheriff Jack Wright added, "It is not necessary to particularize the time and circumstances immediately connected with the fall of each victim of this unexpected, unprovoked, and may I say wholly unwarranted attack on those concerned in the administration of justice in our country, even if I were able to state it all reliably."²¹

Arriving at the school house around 1 p.m., W. P. Boudinot, editor of the *Cherokee Advocate*, was met with a sight which was near disbelief. Three men were lying dead just before the door steps. Dark pools of blood issued from each. In the house lay three more bodies, side by side, with their hats over their faces. A few steps off to the right of the door lay the body of a man with light hair and blue eyes, and next to the chimney behind the house a man lay groaning in anguish. In the bushes a little farther away, there was the corpse of a man who had staggered there to die.²²

Among the wounded was the presiding judge, B. H. Sixkiller, with his wrist bandaged, covering the two bullet wounds he had received. The prisoner limped about with a bullet lodged in the bone of his leg just below the knee. Others were wounded more or less. At Mrs. Whitmire's, desperately wounded, lay Deputy Marshal Owens, a man generally respected on both sides of the "line," who died the next day. Some of the badly wounded were not seen, having fled or been taken care of by their friends. The aftermath of the spectacle was to Boudinot, the most awful sight,

¹⁹ *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 5.

²⁰ *Ibid.*

²¹ *Ibid.*

²² *Cherokee Advocate*, April 20, 1872, reprinted in *Ibid.*, p. 8.

without any comparison, that had ever been witnessed in those parts.²³

The fight had lasted no longer than fifteen minutes. Then the assailants fled, and the authorities and citizens on the ground occupied themselves with taking care of the wounded and dead on both sides of the faction. Eight bodies were hauled to the nearest residence from the court building and grounds. A ninth victim was found a short distance behind the school house, where he had run and had fallen, after being mortally wounded. Sheriff Wright stated that another body was supposedly found a quarter of a mile from the court grounds in the direction of the retreat, but he could not vouch for the accuracy of this statement. Deputy Marshall Owens was shot through the body and was taken to Mrs. Whitmire's home, where he received every attention possible under the circumstances.²⁴

Others wounded in the battle, besides the presiding judge, were as follows: the prisoner Ezekiel Proctor, seriously wounded in the knee and leg; William Beck, mortally wounded in the body; Issac Vann, badly wounded in the elbow; White Sut Beck, who led the assault and who was wounded very badly but escaped;²⁵ one of the jurymen, shot through the shoulder; several other jurymen, slightly wounded (probably by shotgun blasts from the assaulting force).²⁶

The dead on the Proctor side included: Judge Moses Alberty; Johnson Proctor, a brother of the defendant (both Alberty and J. Proctor were unarmed and not engaged in the fight and were men of years); and Andrew Palone. The dead of the Beck party included Samuel and Black Sut who died immediately; William Beck who later died; William Hicks; Jim Ward; George Selvidge; and Riley Woods.²⁷

Needless to say the court was recessed for April 15. According to the court records, it reconvened the next day near the Whitmire place at the home of Arch Scraper, foreman of the jury. There was fear that the events of the day before might be repeated, and Scraper's home would afford more safety to those

²³ *Ibid.*

²⁴ *Ibid.*, p. 6.

²⁵ Oscar Beck stated that White Sut was chased two miles before his pursuers gave up the chase; however, Deputy Marshal Donnelly stated that Peavy helped Beck escape to Cincinnati, Arkansas, where he narrowly escaped Proctor's men once more. See *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 17. According to the *Fayetteville Arkansas Mountain Echo*, Beck feared pursuit and went from Cincinnati to Fayetteville. See *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 10.

²⁶ *Ibid.*, p. 6.

²⁷ *Ibid.*, pp. 6 and 11.

connected with the trial. The main reason for moving the trial, however, was probably Proctor himself. Wounded in the fight, he had been carried to Scraper's house, and he refused to waive his right to be present at the trial. The jury, who had been informed of the place of meeting the day before, were all present except one who had been wounded. The court impaneled another juror, the trial proceeded, and the jury acquitted Proctor.²⁸

The legal problems raised by the trial, however, did not end with acquittal. In fact, the trial only served to point up the mounting tensions which existed between the United States authorities and those of the Cherokee Nation concerning jurisdiction in cases involving whites. Article 13 of the 1866 treaty between the United States and the Cherokee Nation read, "That the judicial tribunals of the nation shall be allowed to retain exclusive jurisdiction in all civil and criminal cases arising within their country, in which members of the nation, by nativity or adoption, shall be the only parties, or where the cause of action shall arise in the Cherokee Nation, except as otherwise provided in this treaty."²⁹ The United States Court evidently had exercised its authority rather loosely regarding this article, so that the Cherokees had come to look upon the marshals as foreigners, "exercising over them usurped and oppressive authority."³⁰ Part of Kesterson's argument for the writ had been the fact that he was a white man, but he had married a Cherokee and was, by adoption, a citizen of the Cherokee Nation. Therefore, jurisdiction properly lay with the Cherokee courts.³¹

But the bitterness of feeling between the Cherokees and the United States marshals created an air of distrust which laid the groundwork for the gunfight. James H. Huckleberry, United States District Attorney of the Western District, Arkansas, viewed the action on the part of the Cherokee authorities as a conspiracy to thwart the authority of the United States. He accused those who resisted the marshals of doing the same in October of 1870 and of murdering a deputy marshal named Bentz early in 1872. The Federal court in turn had convicted four persons at the May and November terms of 1871 for resisting the marshals' forces in Goingsnake District. Huckleberry went on to accuse the Cherokee authorities of not only failing to aid the marshals in making arrests but also of placing obstacles in the way of United States authority. Sixkiller's purpose in holding court in the schoolhouse, said Huckleberry, was that it afforded the Proctor

²⁸ *Ibid.*, p. 7.

²⁹ *Report of the Commissioner of Indian Affairs*, 1872, p. 235.

³⁰ *Ibid.*, p. 234.

³¹ *Ibid.*, p. 235.

party a better place to resist the marshals.³² Deputy United States Marshal, James W. Donnelly, in a letter to Huckleberry, went even further in his accusations. He accused Proctor and his friends of belonging to the association of Pin Indians who had "sworn to kill every Indian or citizen of the Cherokee Nation who gives testimony or information in United States Courts against another Indian or citizen of the Cherokee Nation." Donnelly even accused Chief Downing of being partly responsible for the killings because he had used his influence to get Proctor acquitted, of knowing that acquittal meant attempted arrest and resistance, and of failing to inform the United States authorities of that resistance.³³

Tensions had mounted as recriminations followed the incident. After Owens had been shot, Deputy Peavy sent a messenger to Donnelly, asking for reinforcements. Donnelly sent twenty-one men under Charles F. Robinson to Goingsnake District. When Robinson arrived at Mrs. Whitmire's, he found that the other side had retreated into the hills; he decided not to follow them with such a small force. Instead, he sent the Owens' body to Cincinnati, Arkansas, and the posse back to Fort Smith under the command of Joe Tinker. Then he and Dr. C. W. Pierce went to Tahlequah to see Chief Downing. Robinson presented to the Chief a demand for the surrender of Jessie Shell, Ezekiel Proctor, Soldier Walkingstick, One Sixkiller, Thomas Walkingstick, John Creek, John Proctor, Issac Vann, Ellis Foreman, Joe Channey, and the members of the jury that had sat at the trial.³⁴ Donnelly claimed to have made the demand to prevent further bloodshed. Nevertheless, Chief Downing replied that he did not recognize the authority of the marshals to make such a demand.³⁵ Donnelly then sent a posse under the command of J. G. Peavy and F. M. Shannon to Goingsnake District "to protect, as far as possible, the Cherokees who are desirous of seeing the United States laws upheld in the Cherokee Nation" and to arrest the persons implicated in the gunfight.³⁶ Arch Scraper and Ellis Foreman were arrested and taken to Fort Smith. Foreman was suffering from wounds and Scraper was put in irons. There they were imprisoned, bailed out, and imprisoned again, even though they were not participants in the fight. They were finally placed under

³² *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 14.

³³ *Ibid.*, pp. 16-17.

³⁴ *Ibid.*, p. 11.

³⁵ *Ibid.*, p. 12.

³⁶ *Ibid.*

heavy bonds and ordered to appear at the November session of the United States District Court.³⁷

The opposing side of the conflict also reacted with some alarm. Proctor, evidently fearing reprisal, retreated to Rabbit Trap in the hills with about fifty men.³⁸ Also forced to hide in the hills to avoid arrest, among others, were Judge B. H. Sixkiller, Taylor Sixkiller, and John Shell, all of whom were members of the Senate.³⁹ All of the men who were named in the warrant finally surrendered and gave bail. However, Indian Agent John B. Jones appealed to the United States Attorney General to dismiss the case of Scraper, Foreman, and these latter men; after an investigation the Attorney General granted the request.⁴⁰ The Cherokee authorities, on the other hand, indicated White Sut Beck and several others who had ridden with the posse for the murder of Johnson Proctor and for resistance to officers of the Cherokee Nation.⁴¹ Beck left the nation, and there was no great effort to capture him or the others. However, the warrants stood.⁴²

Many of the reprisals and fear on both sides grew out of rumor and distrust. Each side accused the other of having started the fight. Likewise, the Sheriff of Goingsnake District claimed that the wounded and dead of both sides were tended to with no distinction made between them,⁴³ but the *Fayetteville Arkansas Mountain Echo*, quoting White Sut Beck, said that the Proctor party refused to let the friends of the dead come to take them away.⁴⁴ Finally, each side of the conflict assumed that the other was planning another "attack" in reprisal. It was such conditions of fear and distrust, perhaps, that caused Donnelly to suggest that a company of cavalry be sent from Fort Sill to the Cherokee Nation to help capture the members of the Proctor party.⁴⁵

Fortunately, however, there were others who looked upon the issue with more restraint. Two days after the event, Chief Downing advised the Cherokee delegates in Washington—W.P. Ross, W. P. Adair, and C. N. Vann—to bring the issue before the proper

³⁷ *Report of the Commissioner of Indian Affairs, 1872*, p. 235; Jones in *Letters and Documents*, p. 151.

³⁸ *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 14.

³⁹ *Report of the Commissioner of Indian Affairs, 1872*, p. 235.

⁴⁰ Jones in *Letters and Documents*, pp. 151-152.

⁴¹ *Ibid.*, *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 15.

⁴² Jones in *Letters and Documents*, p. 152.

⁴³ *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 6.

⁴⁴ *Ibid.*, p. 10.

⁴⁵ *Ibid.*, p. 17.

governmental agency to insure prompt settlement.⁴⁶ An editorial in the *Cherokee Advocate* on April 20 called for a prompt settlement of the problem of jurisdiction over adopted citizens, stating that to give in to the United States encroachment on Cherokee national rights would be to render the privilege of self-government a farce. John B. Jones, Indian Agent for the Cherokee Nation, recommended that a United States District Court be established at Fort Gibson as a way of relieving tensions between the two nations. Many times the Indians were dragged from fifty to one hundred and fifty miles to Fort Smith, "compelled to give bail in a city of strangers, of whose language they are ignorant; or in default of such bail to be incarcerated in the common jail, until the meeting of the court."⁴⁷ The establishment of a Federal court within the Cherokee Nation, agreed to in the Treaty of 1866, would eliminate such abuse.

It is interesting to note that Indian Agent Jones found the Cherokee Nation right in the matter of jurisdiction as did Enoch Hoag, Superintendent of Indian Affairs, Lawrence, Kansas. Hoag, with A. R. Banks, went to Tahlequah on April 24 to investigate the affair for the Commissioner of Indian Affairs. Hoag accepted the statements of the Sheriff and of W. P. Boudinot, editor of the *Cherokee Advocate*, as corroborating "the facts gathered from other apparently reliable sources," and believed them to be "substantially correct." He rejected White Sut Beck's statement to the Fayetteville Arkansas Mountain Echo as self contradictory and as conflicting with that "substantially correct" information.⁴⁸ Hoag's conclusion was that "the tragedy originated from imprudent interference by Federal authority with Cherokees' laws while being duly executed under treaty rights . . . The Cherokee authorities have done and will do all that justice can require."⁴⁹

But more important to the United States than the problem of jurisdiction was restoring peace between the two factions of the fight. After the case of Scraper, Sixkiller, and others was dismissed, their friends tried to reconcile them and White Sut Beck. Scraper and Sixkiller treated him and his party leniently, and Proctor was willing to acquiesce in any action which Scraper and Sixkiller and their friends might think best.⁵⁰

In 1873 Beck and one or two others surrendered to the Cher-

⁴⁶ *Ibid.*, pp. 18-20.

⁴⁷ *Report of the Commissioner of Indian Affairs, 1872*, p. 234; a U. S. District Court was established at Muskogee. The first session was April 1, 1889, Judge James M. Shackelford, presiding.

⁴⁸ *House Executive Document, No. 287, 42nd Cong., 2nd Sess.*, pp. 3-4.

⁴⁹ *Ibid.*, p. 17.

⁵⁰ Jones, *op. cit.*, p. 152.

okee Sheriff. A trial was in order, but the Principal Chief issued an order suspending action at the request, October 15, 1873, of H. R. Clum, acting Commissioner of Indian Affairs. Although Scraper, Sixkiller, and others felt that the attack on the court was criminal, they agreed to quash the prosecution of Beck if it would restore peace.⁵¹ N. J. Temple, United States District Attorney, Western District, Arkansas, on October 21, 1873, wrote to Agent Jones: "I was directed by the Attorney General of the United States to dismiss the case of U. S. vs. Zeke Proctor and others for murder at Goingsnake District, but was further directed that if the authorities of the Cherokee Nation should attempt to prosecute any of the Marshals' party to indict again Proctor and his party."⁵² Therefore, the government, through promise of amnesty and threat of prosecution sought to settle the affair. However, the final power to dismiss the Beck case rested with the National Council. In November, 1873, is passed an amnesty act, thus closing the legal aspects of the case.

However, neither the findings of the United States investigators, the government's attempts to settle the issue of jurisdiction, nor its attempts to settle the feud eliminated the bad feelings which existed between the factions of the Beck-Proctor fight. In fact, it was not until years later, that Ezekiel Proctor and White Sut Beck met in Tahlequah and called off the fight. The unexpected meeting took place in 1903 at the land office. Beck supposedly told Proctor that they were too old to fight but that he was game and that he knew Proctor was too. Beck went on to say that he would walk off if Proctor would. The two men, without showing any emotion at all, supposedly walked out different doors of the land office. Thus, the Proctor-Beck fight ended.⁵³

The drama of the fight and the long-standing quality of the feud undoubtedly gave rise to part of the legend that developed around the character of Ezekiel Proctor. Proctor's picturesque appearance was the kind that lent itself to such legends: the rifle, the side arms, the beard and moustache, and the hair that hung loose to more than shoulder's length. Stories describe him variously as "a bad Indian," a paranoic anti-social killer, or "a noted desperado."⁵⁴ Without attempting to vindicate or to condemn Ezekiel Proctor, one can point to certain evidence which can shed

⁵¹ *Ibid.*, pp. 152-153.

⁵² *Ibid.*, pp. 153-154.

⁵³ *Tulsa Daily World*, August 22, 1926, Sec. 5, p. 32 Col. 7.

⁵⁴ John D. Benedict, *Muskogee and Northeastern Oklahoma* (Chicago: S. J. Clarke Publishing Company, 1922), p. 319; Berry, *op. cit.*, p. 228. And *House Executive Document*, No. 287, 42nd Cong., 2nd Sess., p. 9, respectively.

significant light on Proctor's character and on his standing in the community in which he lived.

Proctor was obviously not the outlaw roaming the hills as some stories would have him be. He was a married man with a family and a successful rancher and farmer. He has been called a "big cattleman" of his time,⁵⁶ at one time supposedly having had more cattle than anyone in that part of the Cherokee Nation.⁵⁶ The 1880 census for the Cherokee Nation does not itemize property. However, the 1890 census lists him as a literate farmer who had three dwellings and seven other structures, three farms with one hundred acres enclosed and seventy-four acres in cultivation, eighty fruit trees, one hundred hogs, forty cattle, and several horses, mules, sheep, goats, and domestic fowls. His store of goods indicates that the farm was productive in corn, wheat, fruit, vegetables, and hay. Proctor's wife Margaret owned one farm with twenty-five acres in cultivation.⁵⁷ Such holdings did not come easy in those days but were acquired through a great deal of attention to agricultural and domestic matters.

Proctor also devoted a great deal of time to military and public service. His application for a Civil War pension (June 19, 1901) indicates that he enlisted July 7, 1862, near Baxter Springs, Kansas, in Company L, Third Regiment, Indian Home Guards, Kansas Infantry. He reached the rank of sergeant before being mustered out at Fort Gibson, May 31, 1865. On November 5, 1901, Proctor applied for an invalid pension, declaring that he was lame in both ankles, deaf, and suffering from rheumatism in the right shoulder caused from a wound he received in Goingsnake District while serving as a United States scout for the Second Cherokee Home Guard.⁵⁸ He was sheriff of Goingsnake District at least once before the fight, being commissioned November 7, 1867.⁵⁹ He was affirmed sheriff again on July 31, 1894,⁶⁰ and served through 1895.⁶¹ On November 2, 1903, he began a term in the Cherokee National Senate,⁶² in which capacity he was serving when he died.

⁵⁵ Louis Taylor in *Indian Pioneer History*, Vol. 103, p. 150.

⁵⁶ Henry Harless in *Indian-Pioneer History*, Vol. 60, p. 81.

⁵⁷ Census, Goingsnake District, Cherokee Nation, 1890, Schedule 1, p. 18, in *Indian Archives*, Oklahoma Historical Society.

⁵⁸ General Services Administration, National Archives, Washington, D.C., File No. C2537426.

⁵⁹ O. H. S., *Cherokee* Vol. 258, prior to page 1.

⁶⁰ O. H. S., *Cherokee* Vol. 283, p. 80.

⁶¹ O. H. S., *Cherokee* Vol. 406, p. 30.

⁶² O. H. S., *Cherokee* Vol. 715, p. 22.

According to E. H. Whitmire, Proctor was "resourceful, self-reliant, bold, adjusting himself to diverse circumstances and conditions, meeting each cheerfully, and with confidence in himself in dangers and perils, by which he had been educated. He was a strong man with a strong man's vices."⁶³ He had a violent temper, and he loved to gamble and was good at it.⁶⁴ He was a lover of fine horses and made several trips to Kentucky to purchase thoroughbreds⁶⁵ which he often entered in races. A well-known race track in the Cherokee Nation was the Parris Prairie Track, located about four miles north of Westville. It was at this track in 1880 that the famous race took place between the horses of Ezekiel Proctor and Ned Still. Hundreds of dollars were bet; Proctor's horse won.⁶⁶

Proctor seemed to have a strong sense of obligation toward his relatives and friends. He had a good memory and prided himself in knowing all of his kin.⁶⁷ It may be that he even undertook personal vendettas for his relatives. A good example is the case of Cynthia Beck, a cousin of Proctor's on his mother's side of the family. Cynthia Beck and her husband, Henry Mitchell, lived on the Illinois River. One night a man called "Nigger" Smoot, who had been working for the Mitchells, killed Mitchell with an axe and beat Mrs. Mitchell until he thought she was dead. Proctor found them a day and a half later and followed Smoot's trail from the Illinois River to Fredonia, Kansas. He captured Smoot in an old smoke house there, tied him to a horse, and brought him back to the scene of the murder where he was hanged ten days after he had committed the crime.⁶⁸ But Proctor's sense of obligation went beyond his relatives. Proctor took in several orphans and reared them as his own, and his house was always open to his friends and those in distress.⁶⁹ Mrs. Wilbert Alberty of Westville says that Proctor never forgot the children of Moses Alberty who had been killed during the fight and that when Proctor came to Westville, he did what he could for them.⁷⁰ She said that indeed he was a friend to all of the Albertys.

⁶³ E. H. Whitmire in *Indian-Pioneer History*, Vol. II, p. 372.

⁶⁴ John F. Parris in *Indian-Pioneer History*, Vol. 81, p. 315.

⁶⁵ Ezekiel Proctor, Jr., in *Indian-Pioneer History*, Vol. 107, p. 412.

⁶⁶ Fred Palone, *Indian Pioneer History*, Vol. 39, p. 8; John H. Bright in *Indian-Pioneer History*, Vol. 14, p. 328.

⁶⁷ Mary Jane Sheldon in *Indian-Pioneer History*, Vol. 105, p. 481.

⁶⁸ Grover C. Hanna in *Indian-Pioneer History*, Vol. 27, pp. 335-336.

⁶⁹ Elizabeth Walden to Grant Foreman, September 13, 1941, Grant Foreman Collection, *Cherokee-Pioneers*.

⁷⁰ Mrs. Wilbert Alberty (Interview), Westville, Oklahoma, August 2, 1969.

It appears, then, that Ezekiel Proctor was a many-sided man. While on the one hand he was violent, on the other he was kind and generous. While he at times evidently operated as a law unto himself (as many men had to do in his time), he often at risk to his own safety worked to uphold and enforce the laws of his nation. The striking figure he made in his later years helped to keep alive and reinforce the legends, many of them doubtlessly erroneous, that had sprung up around him during his earlier years. He died of pneumonia on February 29, 1907, at the age of seventy-five and was buried at the Moseley Cemetery west of Siloam Springs, Arkansas. Whatever the failings of the man, he could count as successful his years as farmer, rancher, lawman, and finally senator of the Cherokee Nation.

ST. AGNES ACADEMY FOR THE CHOCTAWS

By Carolyn Thomas Foreman*

Among the many buildings destroyed in the tornado which almost wrecked Antlers, Oklahoma, April 12, 1945, was St. Agnes Academy, originally called "Our Lady of the Angels School."¹ This institution, opened in 1897, was a Catholic mission established by the Reverend William Henry Ketcham, a missionary to the full-blood Choctaw Indians. He made his home in Antlers after having been stationed at Muskogee from 1892 as a missionary to the Creeks and Cherokees.²

Antlers is situated near the center of the old Choctaw Nation not far from the Kiamichi River, and, since statehood, has been the county seat of Pushmataha County. Father Ketcham made the town headquarters for a mission territory which extended from the Arkansas line to the Fort Smith and Paris branch of the St. Louis and San Francisco Railroad on the West, and from the Arkansas River on the north to Red River on the south. When the mission was established the total Catholic population of this entire district numbered only seventy-five persons.³

*The manuscript of notes on "Saint Agnes Academy, Antlers, Oklahoma, was written by Mrs. Grant Foreman (nee Carolyn Thomas) in 1954. Her manuscript has been recast and some additional footnote data added editorially for publication here in *The Chronicles*, Spring, 1970.

¹ Authority of the Rev. J. B. Tenny, Director Bureau of Catholic Missions, Washington, D. C., March 23, 1842.

² William Henry Ketcham, a son of Alonzo and Josephine Ketcham, was born at Sumner, Iowa, June 1, 1868. He was educated at St. Charles College, Grand Coteau, Louisiana; studied divinity at the Theological Seminary of Mt. St. Mary's of the West, Cincinnati, Ohio; and was ordained a Roman Catholic priest in the Pro-Cathedral, Guthrie, Oklahoma, March 13, 1892. Father Ketcham became director of the Bureau of Catholic Indian Missions, Washington, D.C. in 1901, and a member of the Board of Indian Commissioners December 3, 1912. His interest and work throughout his life was in Indian Missions especially in Oklahoma. He founded Roman Catholic Missions for the Cherokee, Creek and Choctaw nations, in the towns of Vinita, Muskogee, Sapulpa, Lenapah, Claremore, Miami, Quapaw, Wyandotte, Cayuga, Webbers Falls, Okmulgee, Checotah, Wagoner and Tulsa. He began his mission work at Antlers in 1897, and within a year had established eight other missions in towns of the Choctaw Nation. He learned the Choctaw language and extended Catholic missionary work among the Choctaws in Mississippi. In June, 1915, he received the degree of L.L.D. from Fordham University. Monsignor Ketcham died November 14, 1921.—*Who's Who in America*, Vol. XII (Chicago, 1923); Sister Mary Urban Kehoe, C. D. P., "The Educational Activities of Distinguished Catholic Missionaries among the Five Civilized Tribes," *The Chronicles of Oklahoma*, Vol. XXIV (Summer, 1946), pp. 166-182.

³ *Ibid.*

In the front of the building was a marble tablet which bore the inscription:

St. Agnes' School for the Choctaws.
In Memory of
AGNES ISADORE
Daughter of
HON. W. R. GRACE OF N. YORK
Like a lily whose fragrance too sweet for earth-
Is wafted in Angels censors to the throne of God-
So passed this pure soul from Earth to Heaven.
March 8, 1884.

According to Sister M. Prudentia of St. Agnes' School, Mr. Grace gave Father Ketcham a sum of money to build a school in memory of his daughter which accounts for the tablet and the name.⁴ *The New York Daily Tribune* of March 9, 1884, (p. 7, col. 6) contains the following notice:

"Grace, Agnes T. daughter of Wm. R. and Lillias Grace, on Saturday morning, March 8, at her home, 31 East 39th St., in the 17th year of her age, died of pneumonia.

"The funeral services will take place at St. Francis Xavier's Church, West 16th St., between 5th and 6th aves, on Monday, March 10, at 9 o'clock A.M. where solemn Requiem Mass will be offered for the repose of her soul. Friends and relatives are invited to attend. Please omit flowers."

The Sisters of St. Joseph from Muskogee were placed in charge of the school, and the Antlers School became the mother-house of the diocesan congregation of the order. In addition to teaching, these nuns did fine missionary work in nursing the ill and in visiting the full-blood Indians. When they were removed to take up work in Dallas in 1898, three sisters of St. Rose of Lima came to Antlers from Texarkana, Texas. These Sisters labored devotedly until the death of Sister De Sales in 1901, when it became necessary to replace the remaining sisters the following year the Sisters of Divine Providence from San Antonio, Texas took charge of St. Agnes.⁵

⁴ William Russell Grace, born at Queenstown, Cork, Ireland, May 10, 1832, ran away from home at the age of fourteen and worked his way on a sailing vessel to New York. After two years there he went to Callao, Peru, where he became a partner in a large firm. He returned to New York in 1865, and organized W. R. Grace & Company, leading firm in South and Central America trade. From 1881 to 1886 he was mayor of New York. In 1891, he established the New York and Pacific Steamship Company.

⁵ "The Sisters of St. Rose . . . by their zeal and kindness won the love and confidence of all the Indians with whom they came in contact." (*The Indian Sentinel*, Washington, D.C. Vol. 1903-1904, 43).

St. Agnes mission was a Choctaw "Neighborhood School" at first, with the sisters employed by the Choctaw government, their work supervised by a Choctaw trustee. In later years, after the tribal schools came under the supervision of the Federal Government, the mission or academy became a contract school.

From its beginning, St. Agnes had an interesting and successful career. For a number of years, it was carried on in a primitive way which made it homelike to the Indian pupils. Throughout its career, the majority of students were full-bloods and it was a favorite school for the Mississippi Choctaws after their removal to Oklahoma.⁶

During 1897-1898 six Choctaw girls attended St. Agnes: Lizzie Turnbull, Mary Freeny, Missie Adams, Maud Taafe, Clara Wooley, Mary McClure at a cost of \$110.00 per year each.⁷

In 1897, Green McCurtain, president of the board of education of the Choctaw Nation, and Joe W. Everidge, superintendent of schools, submitted their annual report to the Choctaw General Council:⁸

"We submit our Annual Report of the condition and progress of our schools during the past twelve months . . . We also entered into a contract with the President of the St. Agnes Academy, at Antlers, Ind. Ter. to send 40 girls to that school, to be selected as follows: 10 girls from the 1st. District, 18 girls from the 2nd. District, and 12 girls from the 3rd. District. We recommend that \$110.00 be appropriated for each of these scholars."

The Sisters of Divine Providence had charge of the school from 1902. They came from San Antonio, Texas and conducted many schools for Indians and whites in the Diocese of Oklahoma. Like all mission schools in the Indian Territory, St. Agnes' commencement exercises consisted of an exhibition attended by many people. In 1909, to avoid the usual crowd, Father Hubert decided to charge an admission fee of twenty-five cents. This did not apply to parents of the students, but served to prevent the hall from being crowded to suffocation as it had been on previous years. After a song by the senior class, two little girls, Lucretia Miller and June Buell, made the welcome address. "Father Hubert is surely developing some musicians in his school if the music which Chole Wasson, Marie Miller, John Reese, Basil

⁶ *The Indian Sentinel*, 1902-1915.

⁷ Oklahoma Historical Society, Indian Archives, Choctaw Nation Schools, No. 22503.

⁸ Oklahoma Historical Society, Indian Archives, Choctaw—Schools. Misc. No. 22246. This document is not dated but it mentions the burning of New Hope and Spencer Academy the year before it was probably 1897.

Reese, Victor Locke,⁹ Leslie Teel and Glenn Buell got out of the piano and violins in 'Berties walk' is my criterion to go by." A pantomime given by the Minim girls was next on the program.

The "Power of Women," a drama in four acts was produced by Nettie Russell, Addie Forbes, Vena Davenport, Mattie Locke, Etta Russell, Mary Dubois, Glossie Newcomb, Patsy Simpson, Mary Scott, Gladys Buell, Lena Sanguin, Geneva Greenwood, Rosalie Greenwood and Victor Locke. After a clown drill by the boys, Victor Locke, Basil Reese and Otis Scott put on a one act comedy entitled "Quarrelsome Servants" which delighted the audience. After a "Schoolday Farewell Song", Father Hubert introduced Major John Gist Farr¹⁰ who made a short address telling of the progress of the school since its organization. Thirteen medals were awarded the various students at the close of the program.¹¹

The Academy had its ball team composed mostly of Indians, and at a game late in May, 1909, the Choctaws won by a score of 11 to 10 over the city school. Hoparkintubby and Bacon composed the battery for the Catholic nine and Zimmerman and Holley for the city school while the umpire was Westmoreland.¹²

On August 25, 1911, an advertisement was printed in the *News Record* announcing that St. Agnes Academy would reopen on Friday, September 1: "Order being the first essential of success the discipline of the Academy is mild but at the same time

⁹ Victor M. Locke, Jr., was the son of Victor M. Locke, Sr., and his wife, formerly Miss Susan Priscilla McKinney of a well-known Choctaw family. From the time that he came from Tennessee just after the Civil War and his marriage to Miss McKinney, Victor M. Locke, Sr., was prominently known in the Choctaw Nation. Their son, Victor M., Jr., and their daughter, Mary, both attended St. Agnes Academy in Antlers. Their other sons were Chub, Ben and Edwin S. Locke. Victor M. Locke, Jr., enlisted in the U. S. Army in the Spanish-American War, and in 1915 was commissioned major in the Oklahoma National Guard. He was appointed principal chief of the Choctaw Nation in 1911, and later served as Superintendent of the Five Civilized Tribes at Muskogee. Victor M. Locke, Jr., was widely known as a leader among the Choctaws and as a prominent Republican in Oklahoma politics.

¹⁰ John Gist Farr, born in South Carolina in 1847 or 1848, was a son of Thomas G. Farr and Anna J. Farr. Major Farr first located in Arkansas, but in 1875, he arrived in the Cherokee Nation where he was appointed a deputy marshall. Upon his retirement from that office, he began the practice of law and in 1887, he moved to Antlers. After serving a term as district collector in the nation in the second district he received an appointment as postmaster of Antlers in May, 1899. Farr married Anna E. Harris whose mother was a sister of Peter Pitchlynn the noted Choctaw delegate to Washington.—*Indian Territory*, D. C. Gideon, (New York and Chicago, 1901), pp. 777-8; H. F. O'Beirne, *Leaders and Leading Men of the Indian Territory*, (Chicago, 1891), p. 174.

¹¹ *The Antlers News Record*, June 4, 1909, 8, cols. 1, 2.

¹² *The Antlers News Record*, May 21, 1909, 1, col. 6.

firm. The course of study is systematized so as to give an education that is both solid and refined; exceptional advantages in music. Board and Tuition free for every Indian boy or girl."

On March 8, 1912, the *News Record* contained an account of the death from pneumonia of Josephine Wafe, a Choctaw Student at St. Agnes Academy. Her parents lived four miles south of Antlers.

Commencement exercises were held in the convent hall at the Academy on Thursday, May 30, 1912, when a beautiful and interesting program was rendered by the pupils. The entrance fee of twenty-five cents for adults and fifteen cents for children was used to cover part of the expenses incurred on the building during the year. While board and tuition were free for Indian children, music lessons were extra.

When the commencement exercises were held in May 1913, Jennings Brothers Tent Show was performing in Antlers, but the *News Record* reported that it did not interfere with the attendance at the school. The lengthy program consisted of songs, declamations, dialogues, instrumental solos and duets. At the conclusion Father E. Campbell of Paris, Texas made some remarks and premiums were awarded.

The Sisters of Divine Providence advertised that the Academy would open September 1, 1913, and white children would be accepted as boarders on the payment for board. Day scholars would be welcomed for \$1.00 per month for small children and \$1.50 for the higher grades. Music lessons were four or five dollars a month according to the grade.

During the month of January, 1918, Father Ketcham visited the Catholic Indian mission schools in Chickasha, Purcell, Ardmore, and Antlers, Oklahoma. He was greatly encouraged by conditions in the institutions. A much needed house was being built at Antlers for the missionary in charge of the southeastern portion of the Choctaw Nation, from funds provided by a generous benefactor.¹³

In July, 1918, it was reported that the Indian pupils at St. Agnes Academy were engaged in the noble work of making garments for infants among the refugees of World War I: "Sister Henrietta describes this interesting feature of the Red Cross work and how her Indian girls have organized a branch of the Red Cross, are making hospital garments for the soldiers, and doing all in their power to assist their country in the hour of need. All the pupils have signed the pledge cards and are conforming to the Hoover regulations."

In January, 1920, Father Charles Van Hulse was appointed pastor of St. Agnes Church and the Indian mission to succeed Father William L. Hall, who was returned to his former post at

¹³ *The Indian Sentinel*, Washington, D. C., April, 1913, 17.

Poteau, Oklahoma. Father Charles sent a suggestion to the *Indian Sentinel* which appeared in that publication in January, 1922:

Readers of the *Sentinel* may be able to supply rosary beads and prayer books . . . for the Indian children. These articles are in demand in the poor missions where Indians cannot afford to buy them and the priest's purse does not permit him to procure such for the adults and children in his care. Frequently it happens that rosaries and prayer books, found in churches and schools, remain unclaimed. These articles would be welcome to the pastor at Antlers for the Indian children of his mission.

An epidemic of measles caused much suffering at the mission in 1924, and Sister M. Camille sent a message to the *Sentinel* expressing her gratitude for a sum of money from an unknown friend in Pennsylvania. The gift was used to buy shoes and clothing needed by the poor orphans of St. Agnes. The children were out of danger and were reported doing well.¹⁴

The buildings of the mission, from the beginning, had been poorly constructed because of lack of funds, and, by 1924, they were in such bad condition as to be unsafe. From estimates it was found that the minimum costs for materials and repairs would be one thousand dollars. Sister M. Camille appealed to the *Indian Sentinel* for assistance for she feared to risk another winter in the buildings unless repairs were made.

The Right Reverend Francis C. Kelley, of Oklahoma, made a strong plea for the Choctaw mission in the pages of the *Sentinel* stating that the school was about to be closed:¹⁵

"Antlers was the parish of the late Monsignor Ketcham before he became director of the Bureau of Catholic Indian Missions. The Indian school was his best loved child. He visited it often. It is better that he died before it has to close. There are over one hundred and twenty children in the school, all Choctaws, but they cannot be held because the school consists of a once half-decent, but now tumble-down building and three unplastered shacks added on. These have been buffeted by the winds and rain till their cracks are open and the interior defenseless. Sisters and pupils freeze in winter. A new building alone could save the situation. It would cost twenty-five thousand dollars. The sisters would stay if we could give the school that building. We cannot, so the work begun by Monsignor Ketcham must die. In June the school will be closed forever and the Choctaws will not only be without a school but without a priest . . . June will see the beginning of the end . . ."

Bishop Kelley's eloquent appeal brought the promise of \$5,000.00 provided a like amount was collected. Contributions

¹⁴ *The Indian Sentinel*, July, 1924, p. 144.

¹⁵ *Ibid.*, Vol. VIII, p. 3.

came in generously, according to Right Reverend Monseigneur Renier Sevens, V. G., who wrote an account of the Antlers mission for the *Sentinel*. The good work was forwarded by the Bureau of Catholic Indian Missions, the Marquette League and many personal benefactors. St. Agnes' Mission School was replaced by a beautiful structure in the Spanish mission style of architecture and it was the finest building in Antlers. It was large enough to house seventy-five children and was filled to capacity.¹⁶

Although the Antlers mission was not old as compared to many Protestant establishments it has been the scene of the labors of a number of priests. After the first missionary there followed: Rev. Gratian Ardans, O.B.S., Rev. Aloysius Hitta, O.S.B., Rev. John Van Den Hende, Rev. Alfred Dupret, Rev. Hubert Van Rechem, Rev. August Breek, O.C.C., Rev. H. B. Mandelartz, and Rev. F. Teyssier. *The Sentinel* states that for a time the Carmelite Fathers, who migrated with the Choctaws from Mississippi in 1897, had charge of the mission at Antlers.

The new school was completed in time for the session of 1929. The lower floor consisted of class rooms, a music room, dining rooms, kitchens and pantries. On the second floor were the dormitories, sewing rooms and others devoted to domestic and industrial training. The basement contained playrooms. One hundred and five students were enrolled and seven sisters carried on the work of the institution, with four teachers.¹⁷

An interesting feature of the work accomplished at St. Agnes was the translating of a catechism into the Choctaw language by Father Ketcham, assisted by the late Peter J. Hudson. According to Miss Ella Ketcham of Oklahoma City, Mr. Hudson worked at their house almost all of one summer on this translating.

A story on "St. Agnes School of the Choctaws" gives a graphic description of the destruction of the mission buildings in the tornado of April 2, 1945.¹⁸ The only part of the school building that escaped was where Sister Innocentia, the Superior of the school, kept sixty children together in the center of the first floor during the roar of the wind and the noise of the storm. All of the children and the teachers were spared; only Sister Mary George was injured by a falling chimney. The town of Antlers lost many buildings in the path of the tornado besides 82 persons killed and 250 injured.¹⁹

¹⁶ *Ibid.*, 1928-29, No. 1, p. 7.

¹⁷ *The Daily Oklahoman*, January 11, 1929, p. 9, cols. 2-4.

¹⁸ Velma Nieberding, "St. Agnes School of the Choctaws," *The Chronicles of Oklahoma*, Vol. XXXIII (Summer, 1955) pp. 183-92.

¹⁹ *The Daily Oklahoman*, February 24, 1946 (Sunday edition), "After the Storm" by Bob McMillan.

This was the dramatic end of Saint Agnes Academy after having served the Choctaws for forty-eight years. Yet the children trained here were living monuments to the faithful Sisters of St. Rose and Sisters of Divine Providence who devoted many years to the work of the mission.

GERALD A. HALE: PARKING METER REMINISCENCES

By LeRoy H. Fischer*

INTRODUCTION

Gerald A. Hale, the author of these memoirs, was the co-developer of the world's first operable parking meter. Born on a farm near Minco, Oklahoma, on September 20, 1904, he received his first formal education in a rural grade school of that community. He graduated from Minco High School in 1922 and entered Oklahoma State University that same year as a student in industrial engineering. The degree of Bachelor of Science was awarded him in this field of study in 1927. He continued as a graduate student at Oklahoma State University and in 1935 completed the requirements for the Master of Science degree in mechanical engineering. In the meantime, he also served as an instructor in the Department of Mechanical Engineering, and it was in this capacity that he worked with Professor H. G. Thuesen in developing the parking meter.¹

Soon after he received the Master of Science degree, he moved to Oklahoma City to become the engineer and vice-president of the Dual Parking Meter Company, a firm established and headed by Carl C. Magee, who had conceived the idea of the parking meter. When the World War II shutdown for parking meter production came in 1942, the Dual Parking Meter Company was sold. Hale then worked on an improved design for the parking meter and was named executive vice-president of the newly organized Magee-Hale Park-O-Meter Company of Okla-

*LeRoy H. Fischer is a Professor of History at Oklahoma State University. The preparation of this article was supported by the Research Foundation of Oklahoma State University; this assistance is deeply appreciated and gratefully acknowledged. Gratitude is also expressed to Mrs. Eugene B. Pope of Carnegie, Oklahoma, the sister of Gerald A. Hale, and to Professor H. G. Thuesen of Oklahoma State University, Hale's co-developer of the first operable parking meter, for their editorial assistance.

This is the third article on the history of Oklahoma's unique association with the parking meter to appear in *The Chronicles of Oklahoma*. See H. G. Thuesen, "Reminiscences of the Development of the Parking Meter," with annotations and bibliography by LeRoy H. Fischer, Vol. XLV (Summer, 1967), pp. 112-142; and LeRoy H. Fischer and Robert E. Smith, "Oklahoma and the Parking Meter," Vol. XLVII (Summer, 1969), pp. 168-208.

¹ Mrs. Eugene B. Pope to LeRoy H. Fischer, July 7, 1968, in the H. G. Thuesen Collection, University Archives, Oklahoma State University Library, Stillwater, Oklahoma; Gerald A. Hale transcript and records, Registrar's Office, Oklahoma State University; Gerald A. Hale file, Department of Industrial Engineering, Oklahoma State University; Hale's unpublished Master of Science thesis, with which Thuesen assisted, titled "Determination and Analysis of Impact Loads on Simple Beams," copy, Oklahoma State University Library; Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, pp. 121-127, 130-133.



(Division of Public Information, Oklahoma State University)

GERALD A. HALE

CO-DEVELOPER OF THE FIRST PARKING METER

A former faculty member of the College of Engineering, Hale became president of the Magee-Hale Park-O-Meter Company of Oklahoma City.

homa City. He served in this capacity until the death of Magee in January, 1946, when he became the president and the major stockholder. In 1962 he retired and the firm was sold to the Rockwell Manufacturing Company.²

Hale was a member of the Oklahoma City Chamber of Commerce, the Oklahoma Society of Professional Engineers, and a Registered Engineer in Oklahoma.³ Although active in these groups, Hale's most extensive contribution was made through his long and close association with Oklahoma Christian College. He was a major force in the growth and development of this institution. He was elected to its Board of Trustees on March 26, 1957, while it was located at Bartlesville. He took a leading part in moving the college from Bartlesville to Oklahoma City and in the changing of its name in 1959 from Central Christian College to Oklahoma Christian College. He served as chairman of the executive and building committees. He was elected chairman of the Board of Trustees of the college on October 27, 1961, and served in that capacity until his death on August 17, 1967.⁴

Hale wrote his reminiscences of the development and production of the parking meter at the request of H. G. Thuesen and LeRoy H. Fischer, both of the Oklahoma State University faculty, and Robert E. Smith, an Oklahoma State University graduate student in history preparing a thesis on the development and impact of the parking meter. Hale's memoirs were completed only seventeen days before his death.⁵

—LeRoy H. Fischer

HALE'S PARKING METER REMINISCENCES

Carl C. Magee, a newspaper man of Oklahoma City, was the father of the parking meter. By 1933, when Magee was serving as chairman of the traffic committee of the Oklahoma City Chamber of Commerce, the parking of automobiles on Oklahoma City

² Hale file, Department of Industrial Engineering, Oklahoma State University; Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 136.

³ Hale file, Department of Industrial Engineering, Oklahoma State University.

⁴ Mrs. Eugene B. Pope to LeRoy H. Fischer, July 7, 1968, in the Thuesen Collection, University Archives, Oklahoma State University Library; W. O. Beeman to LeRoy H. Fischer, August 7, 1968, in *ibid.*; *Oklahoma City Times*, August 17, 1967, p. 5; *The Daily Oklahoman*, August 18, 1967, p. 8; *The Oklahoma Journal*, August 18, 1967, p. 14.

⁵ Gerald A. Hale to H. G. Thuesen, August 1, 1967, in the Thuesen Collection, University Archives, Oklahoma State University Library; Robert E. Smith, "The Development and Impact of the Parking Meter Before World War II" (Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1968).



(University Archives, Oklahoma State University)

**WORLD'S FIRST INSTALLED PARKING METER,
OKLAHOMA CITY, 1935**

The type of parking meter used in the world's first installation in Oklahoma City in July, 1935. This meter was manufactured for the Dual Parking Meter Company of Oklahoma City by the Macnick Company of Tulsa.

streets had become a major problem. The efforts of Oklahoma City traffic officers to "chalk tires" on vehicles parked in time zone areas were not very successful. While thinking about this problem, Magee conceived the idea that what was needed was a timing device mounted on the curb, to be set by the motorist after he had parked. Magee realized, however, that the motorist could periodically reset the device, extend his stay, and thus largely defeat its purpose. Magee then hit upon the idea of making it operate with a coin. This would give the control needed on the use of the device and provided an economic deterrent against abuse of the parking privilege.⁶

Magee next decided to check into the possibility of designing and building a coin-operated parking meter. He thought of his old friend, Phillip S. Donnell, who was dean of the College of Engineering at Oklahoma State University. Their negotiations resulted in a design and model contest among engineering students at Oklahoma State University, with cash prizes offered by Magee for the most workable designs and models.⁷ After this contest, Professor H. G. Thuesen, head of the Industrial Engineering Department, and myself, decided this was a device that needed further study. For a year we worked in our spare time on the development of a satisfactory parking meter design and model.⁸

At that time there were very few manufacturing concerns in Oklahoma who had the proper experience and know-how to build a parking meter. The device involved a coin operated mechanism, a timing device, and a signal system. However, we were fortunate to find a concern in the state which had experience in both coin operated machines and timing devices. Arrangements were made with this concern, the Macnick Company of Tulsa, to do further

⁶ Information on Magee's background is in Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, pp. 115, 128; Fischer and Smith, "Oklahoma and the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLVII, p. 6; and Smith, "The Development and Impact of the Parking Meter Before World War II," p. 6.

⁷ For details on the parking meter design and model contest of the College of Engineering at Oklahoma State University, see Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, pp. 115-119; Fischer and Smith, "Oklahoma and the the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLVII, pp. 172-175; and Smith, "The Development and Impact of the Parking Meter Before World War II," pp. 8-11.

⁸ For details on the work of Hale and Thuesen in developing the first operable parking meter, see Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, pp. 121-132; Fischer and Smith, "Oklahoma and the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLVII, pp. 175-176; and Smith, "The Development and Impact of the Parking Meter Before World War II," pp. 11-15.

design work and to develop machines to build a quantity of parking meters. Within about a year and a half, the first meters were produced and ready for street testing. Oklahoma City welcomed the idea of making a test and started with 150 meters placed on one side of the street in alternate blocks. This placement was used to obtain a direct comparison between metered and unmetered blocks. On a hot July day in 1935, the world's first parking meters went into use. In the early morning, the meters were the subject of much interest by sidewalk crowds and motorists. There was not much use of the parking spaces at the early hours, as not much business was being done; normally, these spaces would have been full under the old conditions. As the morning hours passed, meter usage increased. Cars pulled into the metered spaces and moved out when their owners had finished their business, while in the unmetered zones the old congestion remained. Magee's idea of a coin-operated meter for the regulation of parking on city streets was proving itself, although at the time of the initial installation most everyone had been skeptical of what the meters would accomplish. Within a few days other businesses were asking for meters on their streets, and within several months far more than the original 150 units had been installed. A new product had been born.⁹

In the beginning, we named the business the Dual Parking Meter Company. Our selection was based on the fact that our meters were planned to serve a dual function: They were to be a new source of revenue, which was much needed for overall traffic improvement, and they were to provide a means of parking regulation. Their greatest advantage was in making possible the efficient enforcement of parking limits. We also decided in the beginning to call our new product the Park-O-Meter. We later discovered the name Parkometer (without hyphens) had been previously registered for a different product, and when we were unable to make a satisfactory arrangement with the Parkometer owner, we changed the name of the meter to the Dual Parking Meter, the same as the name of the company.

There was much national as well as local interest in the first parking meter installation in Oklahoma City. It was publicized through news stories all over the country, and even newsreel cameramen came to take pictures of the installation. Officials from other municipalities soon came to check on the installation, and we gradually began to receive orders from other urban communities. Meadville, Pennsylvania, was one of the first of the smaller cities to purchase meters, while Toledo, Ohio, was one of the larger cities during this early period to buy our product. Be-

⁹ The reactions of Thuesen to the world's first installation of parking meters in Oklahoma City are in his "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 132.

cause most of these early installations were for testing purposes, the quantities were not large. During the first six months of our business, the total volume sold was approximately 1,500 units. After numerous cities and towns had made initial installations, the size of placements began to increase. Over the next seven years, our average sales were about 10,000 units per year.

When parking meters were first installed in 1935, they were operated by the user by turning a handle. We naturally accepted this type of mechanical design, since all vending machines were operated with handles. Out of this early experience we learned that operating conditions for parking meters were different from those for vending machines. When a vending machine user made a purchase, he always turned the handle sufficiently to get his purchase. With meters it was found that some users would purposely neglect to properly operate the handle if this would tend to give them more time than their coins entitled them to receive. This factor decreased the efficiency of enforcement, with the amount depending on how diligent the police enforcement was against handle turning. Out of this situation we conceived the idea of an automatic meter in which the motorist had only to insert his coins. Within a year after the first installation in Oklahoma City, we were offering this new type of meter, and it soon replaced all of the original handle operated machines.¹⁰

The parking meter proved to be an efficient tool for regulating parking on city streets. Research has shown that the turnover of cars on a street is increased four to five times by the use of meters as compared with the old police method of chalking tires. Actually, parking close to businesses is the life blood of merchandising. Without adequate parking close to stores, there will be diminishing trade and a subsequent decline in property values. Parking meters are recommended for only one purpose, and that is regulation, both for onstreet curb parking and for offstreet lot parking. The revenue which parking meters produce should defray the cost of the meters, their upkeep, their enforcement, and contribute to the expansion of offstreet parking areas. In most towns and cities, the amount of parking space available on streets is insufficient, but the revenue from the street parking meter system can be used for expansion of offstreet lots, which can also be regulated with meters.

Seven years elapsed from the beginning parking meter installation in Oklahoma City to the World War II shutdown in 1942. During this period we sold 71,393 parking meter units. Eleven competitors entered the field during these same years,

¹⁰ Thuesen's discussion of the mechanical considerations and problems involved in developing the first parking meter model are in *ibid.*, pp. 121-123, 130, 133-135, 140.

and their sales averaged from 110 to 35,000 for a grand total of 120,000. Only five of these companies did substantial business, the largest competitor being the Miller meter of Chicago. When the war shutdown came, there was no certainty of when we would be able to resume manufacturing and sales. A majority of our stockholders wanted to get their profits out of our concern. As a result the Dual Parking Meter Company was sold to a Mr. Tribble, and he in turn sold it to the Union Metal Company of Canton, Ohio. This company continued to manufacture our Dual meter after the resumption of business at the end of the war.

During the war shutdown period, Magee and I were able to purchase the "Parkometer" trade name. This put us in the clear to use the Park-O-Meter name for the new meter we planned to bring out at the end of the war, and we named our business the Magee-Hale Park-O-Meter Company. We decided to work independently during the war period on a new parking meter design. The Macnick Company of Tulsa, the manufacturing unit of our Dual Parking Meter Company before the war, worked on what they thought was best, and we in Oklahoma City did the same. We both had the benefit of much experience in parking meter design. Although the early meters operated on a single coin only, the trend had grown to using multiple coins, and more than one coin size. Also, the early parking limits had been for two hours or less. With the increasing use of meters for parking lots, the limits were expanded, in some instances to all day or several days. Since the rate or amount of time per coin had begun to vary widely, it seemed desirable to design a meter which would be flexible and adjustable with respect to all three of these variables. Problems such as the size of money storage, with use of pennies in the coin combinations, also had to be considered. Signal visibility was another factor, calling for a larger signal so as to save patrolman time in checking meters on streets and parking lots. The time had thus come for a completely new product based on all operating conditions and needs encountered to that time.

After many months of work, the Macnick Company of Tulsa and the Magee-Hale Park-O-Meter Company of Oklahoma City came up with new meters, designed and hand built, ready for competitive testing. After a considerable period of experimentation and study, it was decided to produce the meter we had designed in Oklahoma City. Detailed drawings of the meter parts were made in Oklahoma City, and the Macnick Company produced the parts. After these were assembled, we had a prototype meter for further testing, for the additional checking of drawings, for advertising photographs, and we were ready for production and sale when the war shutdown would be over. The important design features and changes of our new meter were as follows:

1. There was complete automation, calling for no operation on the part of the user other than the insertion of a coin or coins.

2. The signal area was made larger for viewing the indicator from all sides and at a greater distance. The signal section at the top of the meter was wider than the mechanism compartment.

3. The mechanism was made as small as practicable and yet perform its specified functions. It occupied a space narrower than the signal area, but was deeper than that portion.

4. The coins were inserted in a single slot on the right hand side of the meter for convenience.

5. The mechanism was designed to operate on pennies, nickels, dimes, quarters, and courtesy tokens. The mechanism would also take multiples of any of these coins. If desired, any of these coins could be removed from the operation.

6. The meter was also designed to provide split rates. For example, on a ten-hour parking lot meter, set to provide ten hours for twenty-five cents, it would also be possible to adjust it to the rate of five cents per single hour up to four hours.

7. The mechanism was designed so as to be easily adjustable on the parking meter location for any coin combination, for any time per coin, and for any time limit from a few minutes to a twenty-four hour period. The time per coin, for instance, was readily set by loosening a screw and moving a slip ring. In effect, this meter could perform any parking function that it would be called on to carry out.

8. The coin compartment was at the bottom of the meter, and it was made large enough to hold the revenue collected during a week of maximum usage of the meter. The coin compartment door was so designed that upon positioning the collector cart, unlocking the door and opening it, the money would automatically dump into the cart.¹¹

When business resumed in 1945, after the World War II shutdown, we had the only newly designed meter on the market. Most of our former sales representatives were ready to go to work. The City of Oklahoma City ordered several hundred, and we made our first postwar installation. The performance of the meters was beyond our expectations. They stirred interest all over the country, and orders soon began to come in from every section of the nation. Since materials were scarce in this early postwar period, the factory was hard pressed to keep up with the demand. The backlog grew until we were almost six months behind on filling orders.

After a year or two, we began to work down our backlog. The demand slackened some, with installations having been made in all of the important cities of the United States by ourselves and our competitors. The Miller meter and the Dual meter also did a good volume. After a few years, the business of these companies dropped off considerably, while ours continued to hold up. At the end of 1961 we had 1,500 installations in cities in the United

¹¹ For a discussion of Thuesen's contribution to the development of the new post-World War II parking meter mechanism of the Magee-Hale Park-O-Meter Company, see *ibid.*, p. 138.



(University Archives, Oklahoma State University)

THE MAGEE-HALE PARK-O-METER

The Magee-Hale Park-O-Meter of the immediate post-World War II period, designed by G. A. Hale. This meter incorporated washer rebound device suggested by Professor H. G. Thuesen of Oklahoma State University.

States, South America, Canada, and Europe, with a total of 700,000 meters. During the latter part of this period we licensed the Venner Company of London, England, to make our meter for distribution in Europe. They tooled up completely to manufacture our meter, and made some desirable design changes which we had not seen fit to incorporate. Their work was of the highest quality, and they installed the Park-O-Meter all over Great Britain, Europe, and Africa. For our part, we were paid a royalty for each meter sold when the cost was fully collected. As in the United States, our meters were sold by the Venner Company on a fifty-fifty division of revenue until fully paid, or at a 5 percent discount for cash.¹²

By 1962 the nature of the parking meter business was changing. It was becoming more and more a replacement of older equipment, rather than new installations. The downtown areas of many cities had stopped growing, and in many instances were declining. Shopping centers were beginning to develop, and at these locations adequate free space for the parking of automobiles was an important consideration. As the meter market began to be saturated in the downtown areas of cities, the volume of meter sales decreased. Thus by 1962 a good portion of the marginal companies had ceased to be active.

Because of these changing business conditions, some consolidation of the parking meter concerns seemed to be desirable. Therefore when the Rockwell Manufacturing Company offered to buy our business, we were interested. This merger would combine two of the larger companies, ourselves and Dual, thus insuring more volume in a declining market. The terms of sale for the outright purchase of our business were made by the Rockwell interests, and we agreed to sell to them. The Macnick Company of Tulsa, who built our meter in the pre-World War II period, had already sold their manufacturing business to Rockwell. The Rockwell firm discontinued production of the Dual meter, and moved the manufacturing facilities for making the Park-O-Meter into their Tulsa plant. Our former industrial building in Oklahoma City was converted for use by Rockwell-Standard in the manufacture of Aero-Commander airplanes.¹³

¹² Hale provided additional details on this overseas franchise in his "Parking Meters Made in England," *American City*, Vol. LXX (May, 1955), p. 7.

¹³ The Magee-Hale Park-O-Meter Company was located at 3909 Willow Springs Avenue, Oklahoma City, from 1957 until 1962, when the firm was sold and Hale retired. Thuesen, "Reminiscences of the Development of the Parking Meter," *The Chronicles of Oklahoma*, Vol. XLV, p. 136; Southwestern Bell Telephone Company, *Oklahoma City Telephone Directory*, April, 1958, p. 196; Southwestern Bell Telephone Company, *Oklahoma City Telephone Directory*, April, 1962, p. 239.

This concludes my reminiscences of the development and use of the parking meter. It was a most interesting field of developmental and business activity. Magee's parking meter idea proved practical, and as a result parking meters are now used by cities and towns over most of the civilized world. As other nations develop and the parking of their motor vehicles becomes a problem, parking meters will undoubtedly prove their worth in those areas as they have in the United States and Europe.

NOTES AND DOCUMENTS

A Letter from Wyandotte Mission, postmarked
Grand River, Indian Territory, 1888

This letter from Mary Hubbard, to Catherine Carmen in Mechlenburg, New York, reveals the loving heart of the simple yet rugged life in the Friends Mission far away in the Indian Territory.¹ The mission of the Friends Society or Quakers was begun in 1869, with the erection of a log church house for work among the Indian tribes settled in the northeastern corner of the Indian Territory after the Civil War, including remnants of the Wyandot, Shawnee, and Seneca tribes, and later the Modoc from California and Oregon. The Friends Society stressed the matter of a school in the mission work and organized the Seneca Boarding School here in 1871, with recognition and some government support through the Quapaw Indian Agency. Improvements were made as time passed, and Seneca Boarding School, as it was known officially, became a well known school in the area though it was always best known and referred to as Wyandotte Mission in the country around the post office, Grand River in Indian Territory.² Mrs. Hubbard's husband, Jeremiah Hubbard was superintendent of Seneca School in 1872 to 1873, and continued to serve in the Mission of the Friends Society for many years.

—The Editor

Cathrine Carmen

Dear Friend

Thy letter and package of mittens come safely to hand and were very acceptable. The fine yarn ones just fit our little girl (Edna) 3 yrs. old and the other red pair fit me the brown ones were too large but I will give them to Lucy Winney our clerk of the monthly an Indian woman a very nice woman thee may of seen her name in the Friends review and husbands book. Husband said thee could not of sent him anything that would of been of more use to him as it is hard to get good yarn out here and they are so handy having a thumb and finger we never saw anything like them before and my time is so fully taken up in

¹ It is through the kindness of Mr. George H. Shirk that Mary Hubbard's letter is published here in *The Chronicles*, from the original letter in Mr. Shirk's fine philatelic collection of early Indian Territory covers. The post office of Grand River is now called Wyandotte in Ottawa County, Oklahoma—see reference, George H. Shirk, "First Post Offices within the Boundaries of Oklahoma," *The Chronicles of Oklahoma*, Vol. XXVI (Summer, 1948).

² For a history of Wyandotte Mission or Seneca Boarding School see Dr. A. M. Gibson, "Wyandotte Mission: The Early Years, 1871-1900," *The Chronicles of Oklahoma*, Vol. XXXVI (Summer, 1948).

house work and my sewing that I don't get time to knit and the yarn so poor that it does not pay to knit it. I bought yarn last fall for our little boy Harry 5 years old and the first time I washed it after he wore it it all pulled to pieces it was shoddy and flysey [?]. My husbands Mother has been here on a visit for 6 weeks she is 77 years old and very active for one so old she helped me piece a bed quilt and knit Jeremiah a pair of socks. She lives 50 miles from here in Missouri with another son. I do not think thy questions any trouble and anything thee feels like asking it will be a pleasure to answer for I think a great deal of thy letters and love to get them. Next 7th day is our monthly meeting and I will give Sallie Modoc her handkerchief. In this tribe where we live there are white renters and most Indians where they have 25 to 40 acres of land in cultivation have two houses and are allowed a white renter as many of them don't have teems or [are] widows and many of them are shiftless and don't know how to manage. While others are energetic farmers raise wheat, corn oats and have large herds of cattle but there are many that only raise corn and a garden and barely live. There is a government school a $\frac{1}{4}$ mile from our house, where the children of 3 tribes over 6 years old can go and are fed clothed and schooled and taught farming and house work. The Shawnees do not like to send to school as they are a very ignorant and superstitious tribe. They don't like white man's ways. There has 5 or 6 of their tribe died in the last 2 weeks with Pneumonia. They won't take medicine just have their feasts and dances to invoke the great spirit to cure them. There is not many of our older women that can read only those that have been sent to school. I fear my letter will not be very interesting as we have had so much sickness in the last 5 weeks that I am nearly tired out. We were sent for to go to our little girl 50 miles from here (Edna) 5 weeks ago. She had the Erysypalis in her head and face, and our son-in-law had the Plurisy and pneumonia. We staid until he was out of danger and then brought her home. She is better and will go back the 1st of next month. And 2 weeks ago Harry our little boy took the measles and a young woman that has lived with me over 2 years took the Typhoid fever, she is just able to set up for the first time today. Harry is better but I feel so tired I cannot write or think. So I will send thee a few pictures to make up what my letter lacks. The meeting picture was taken of Sycamore meeting all Indians that compose the meeting. It was taken when B. C. Hobbs of Indiana one of the executive Committee was out here to visit our work. Thee saw his report in the Friends Review. He had meeting there and we all took our dinners and after meeting a friend of ours took the meeting picture. Some of them would not come out. B.C.H. has a high silk hat on and Jerrimiah and I and Harry are standing together at the right of the picture. The sun shone in my eyes and I could not look up. It is not a good picture but will give thee a

little pleasure in knowing how we look. Excuse this paper it is all I had. Our little girl has to go away from home to school. Well I will close for this time. Hoping it will be worth an answer when thee has time, lovingly thy friend

Mary G. Hubbard
Grand River
Ind Ter

Many thanks for our mittens.

A LETTER WRITTEN FROM
COYLE, OKLAHOMA TERRITORY IN 1900

In the following letter to a Mr. Blackman in Maryville, Missouri, the Reverend John T. Owens writes on June 21, 1900, about the progress made in the new town of Coyle, Oklahoma Territory, in seven months time. He mentions his three sons, George, Guy and Jesse, all of whom were residents of Oklahoma City many years later. Mr. Owens mentions several boarders in his home at Coyle, among whom was Edwin Trapp, the Governor of Oklahoma more than twenty-five years later, who lived with the Owens family while he taught school in Coyle. These notes were sent by Mary Ann Wright to the Oklahoma Historical Society, along with a copy of her grandfather's letter written from Coyle.

The Letter from John T. Owen

Coyle, O. T.
June 21st 1900.

Dear Bro. Blackman:

Your favor of Dec. 18-1899 came duly to hand, & I shall begin this letter by apologizing for not answering it sooner. I can hardly realize that it has been so long since I received your letter, but you know how time flies when we are kept busy, & I never was kept so busy in my life as I have been since coming to Oklahoma. And now the first thing I want to do is to thank you for attending so promptly to the little business matters I left in your hands. So far as my church dues are concerned I have never learned yet whether, or not, I left enough with you to settle them. Bro Kelly sold the fork & sent me the money, & I have instructed Bro. Hasmer to sell the baby carriage for whatever he can get. You know that I went into the grocery business. Well, I did very well for a while, but large general stores soon came in & commanded all the trade, & I found that I was unable to compete with them. There is no money in groceries alone in this country, & then my building was too small for a large stock of goods, had I been able to put in one. So, meeting with a good chance I sold the house, & disposed of most of my little stock of groceries, I kept quite a lot, however, as we have boarders, &

could use them, the goods I mean, to an advantage at home. We have 8 or 10 regular boarders all the time, besides transients. I have built me a very nice residence. It is a two story, seven room house, with two halls, & four closets. The lots & building together cost me about \$1200.00. Now I am having a good stone store room put up on my business lot, 24 x 60 feet, & 12 feet high. I have rented it to a clothing firm who expects to take possession in about 3 weeks.

There is a stone Bank adjoining me on the West, & Mr. Lee is putting up a stone building on the East to be used for a furniture store. We have 3 general stores here now; the building for a fourth is nearly completed & others are in sight. Then we have 3 drug stores, two exclusive grocery stores: one of the drug stores carries groceries, & all the general stores do. Then besides Lee & Son's big Hardware & Harness store, there is another implement firm; two Blacksmith shops; Two cotton Gins; Two Real Estate Offices; Two Restaurants. One Livery Barn; One Barber shop; One Printing office (I send you a paper today); One Butcher shop; One Millinery store; One Gent's Furnishing store; One Confectionery stand; One Lumber Yard; A Fine Depot; Large Steel Tank; Stock yards; Material is being brought for an Elevator; A Hotel nearly completed; How is that for business in a seven month's old town; When I came here last November there was not anything but the framework of Lee's building started in the field. I secured two church lots myself, & the store is on the ground for the foundation, but the stone masons are so crowded with work that the church has to wait. And Sanders cant get carpenters to put up houses as fast as they are wanted.

I am writing some insurance, & I have sold a few lots, but I have not had any success selling farms yet, although I have several good ones listed. There have been but very few land buyers in this section since I came here, & I have just lately ascertained the reason. There are many people coming from the East & North to Oklahoma to secure homes. But as they come down the main lines of railway they are caught at the different points on those lines by real estate agents who succeed in selling them farms before they get very far away. Coyle is on a branch line 22 miles (by rail) East of Guthrie. Trains on our road make no connection at all with trains running through Guthrie. Parties who come from the North have to stop over all night in Guthrie, & cannot get a train until 8 oclock next morning to come out here. The consequence is the Guthrie real estate men rope them in every time. And they are selling land to these northern people at a high price for this country, though it seems cheap to them as they have come from where land sells so high. Now, I heard today, that a fellow paid \$8000.00 for a claim in the neighborhood of Guthrie, while I have better claims that can be bought for half that.

I have a dozen good claims in my hands that can be bought at from \$1200.00 to \$3000.00. And in a few years time this land will be worth double that amount of money. Cant you send me some buyers? I wish you would come down here & go in with me. I have rented my store room for \$25.00 per month & reserved space enough for my office business. I have one of the best locations in the town. It is now rented for one year, But I would like to occupy it myself, after that if I could get some good man to go in partnership with me in some good line of business. George has a position in one of the best general stores here. Guy is carpentering at present, Jesse is our rustler. Besides buying his own clothes, he has bought a good pony, saddle & bridle & paid for them himself.

Well, cant you sell that place of mine in Maryville? From what the papers say Maryville is improving right along, & it does seem to me that that half a block of mine, with such improvements as I have on it, ought to be worth \$2000.00. Now I have written about all the news I can think of, I want you to pardon me for waiting so long to write this letter. One reason why I delayed was because there was so much I wanted to say to you, & I had so little time to write, I kept putting it off. I want you to let me hear from you soon & let us try & work up some land sales to No. folks coming this way.

Truly & fraternally,

John T. Owens.

You will notice that the name of our town is changed to Coyle, & we now have a P.O.

1870—A CENTURY OF WEATHER SERVICE—1970
Oklahoma Crop Weather Bulletin

U. S. Department of Agriculture
 Statistical Reporting Service
 Oklahoma Extension Service

U. S. Department of Commerce
 Weather Bureau
 Oklahoma State Board
 of Agriculture

For Week Ending May 4, 1970

Oklahoma City, Oklahoma

Released at 3 P.M. Monday

"CROPS: Topsoil moisture now is at least adequate (and *surplus* in many areas) over virtually all of the State following last week's rains, according to the Oklahoma Crop and Livestock Reporting Service, Extension Service, and ESSA Weather Bureau . . .

"The heavy mid-week rains stopped seedbed preparation for row-crop plantings in most localities. Planting of the State's relatively small acreage of *corn* is nearing the mid-point, slightly behind last year's progress . . .

"RANGE AND LIVESTOCK: Range grasses have made excellent

progress during the past week with 89 percent of the native pastures rated as good to excellent at the close of the period . . .

“WEATHER: Moderate to heavy rains fell across most of Oklahoma this past week in advance of a slow eastward moving cold front. Some of the heavier rainfall totals include 5.48 inches at Vinita, 5.35 inches at Oklahoma City, and 2.30 inches at Hobart. The rains skipped over most of the panhandle, although Kenton did receive .41 inch of rain. Light snow also fell in the Kenton area Wednesday.

“Temperatures averaged near normal, except in the northeast, where they averaged 4 degrees above normal. The extremes were 95 degrees at Mangum Monday afternoon and 27 degrees at Boise City Friday morning.

“The most newsworthy weather for the week was the tornado activity in the Oklahoma City area early Thursday morning. Property damage was extensive, around 38 persons received injuries, but miraculously there were no deaths.”

BOOK REVIEWS

History as High Adventure. By Walter Prescott Webb, edited by E. C. Barksdale. (The Pemberton Press, Austin. 1969. \$6.95.)

This work consists of a series of addresses delivered by the late Walter Prescott Webb, renowned titan of Great Plains history. The selections give a fascinating, if incomplete, view of the life, research, and outlook of Webb in a personal and informal manner. With judicious affection Professor E. C. Barksdale introduces the collection with "An Explanation" rather than a preface in deference to Webb's pernicious remarks on book introductions. He provides not only a general discussion of the addresses and their significance, but portrays the devotion of a true disciple with the declaration that "Webb at his greatest could and did point man's . . . imagination and philosophy toward the splendor that can be reflected from the light of early day, toward the morning sun."

While the fifteen papers comprising this collection cover a wide range of topics, the emphasis is on the frontier. In the first selection, entitled "The Function of History" Webb suggests that the purpose of Clio is "to describe and make understandable the forces which have shaped the destiny of man and brought him to the present time equipped as he now is with his ideas and institutions." His 1958 inaugural speech as President of the American Historical Association, titled "History as High Adventure," is next presented. Here Webb testified that his essential research technique, learned from a former college mentor, "consisted of taking an environment, in this case the Great Plains, as a unit and superimposing layer after layer of its components." Webb put geology as the basic foundation and finished the structure with literature since it is "the final product, the flower growing out of the compost of human effort and physical forces." Other contributions deal with prairie inventions, historical geography, a proposed Texas Museum of Natural History, the nature of the historical seminar, the relationship between college history professors and high school history teachers, the teaching and writing of Texas history, and an interpretation of "The Great Frontier." In the latter address Webb took a global view and labeled as the great frontier "all lands discovered by Columbus and his associates around 1500," concluding that mankind had now reached the end of an era of history, "The Age of the Great Frontier," and was beginning another epoch "the nature of which we can only guess at." Covering an impressive variety of subject matter, Webb's stimulating insights and interpretations make this anthology an important contribution for both the general reader and the scholar.

The Social History of American Agriculture. By Joseph Schafer. (Da Capo Press reprint edition, New York, 1970. \$12.50.)

The late Joseph Schafer, longtime superintendent of the Wisconsin State Historical Society, assembled this volume from a series of eight successive lectures that he had given on American agricultural history at the University of London in 1936. Now reprinted by Da Capo Press without the benefit of a new introduction, the book has a markedly dated tone to its content despite the fact that Schafer undoubtedly expended an enormous amount of energy in researching the topic some thirty-five years ago. In his book, the author attempted an admirable end as his rationale asserted that agriculture "is one of the main supports of American democracy because it is an occupation embracing millions of freemen who own property and cultivate land on a somewhat equal basis."

Thus the role of the farmer is clearly presented against a backdrop of ideas current in an earlier part of the twentieth century. The eight chapters delve into such subjects as land for the farmer, subsistence farming, "big business farming," scientific agriculture, "professional farming," rural sociology, rural politics, and the future prospects of the farmer. The limited sources on which the study is based are 1920's vintage scholarship and consequently pretty well out of fashion. In addition no bibliography was included. A traditional view of the chronic sorrows of the farmer reveals the problems of intense competition, sporadically glutted markets, and the perils of weather. The evolution of American agriculture into a "big business" with accompanying rampant financial speculation as well as the terrific impact of science and technology on farming are solidly covered up to the early 1930's, although again somewhat antiquated in viewpoint.

Schafer is positively ecstatic with his declaration that farmers "are the hope of the nation's future as they have been the chief dynamic force of our country's past." One reads the observation, obviously contemplated before the advent of television and huge corporate farms, that farmers "still retain the old primal American virtues: a sense of human values, neighborliness, morality, and religion." While the book will be of value to those who wish to examine in brief compass the main facts of the agricultural history of the United States as revealed by a scholar several decades ago, the 300 page volume is so expensive that few individuals will probably be able to afford the rather high cost.

—Dr. Philip A. Kalisch

West Texas State University
Canyon, Texas

Thomas Gilcrease. By David Randolph Milsten. (The Naylor Company San Antonio, Texas. 1969, pp. 468, \$12.95.)

Thomas Gilcrease became the proud possessor and collector of one of the greatest collections of American art in the world.

In order to better understand this unusual man, the author interviewed countless friends and business acquaintances in his research for this interesting and well-written book. Mr. Milsten has traced the life of Thomas Gilcrease from its earliest days when as a child he came in a wagon with his parents from Louisiana to Indian Territory where his mother and her children could be enrolled in the Creek tribe, and receive allotments. It was Mr. Gilcrease's allotment, situated on the Glenn Pool, which started his career.

The romance of the pioneer days is just one facet of the life of Thomas Gilcrease which spanned some of the most exciting events in the history of modern times. He lived through the oil boom days and managed to increase his fortune. His near purchase of Signal Hill in its entirety is an example of his intuition in business. His quest for knowledge and his desire for culture grew and he traveled increasingly.

The real substance of this book is, in great measure, the story of the Gilcrease Museum and how it came about in Tulsa, Oklahoma. The author defines the character of Mr. Gilcrease and tells of his increasing and overwhelming interest in collecting for what was to become the Thomas Gilcrease Institute of American History and Art. Mr. Milsten says that "Thomas Gilcrease possessed an inner sphere of personality which he vigilantly guarded and which he exposed to few."

One of the best descriptions of Gilcrease comes from his good friend and lawyer, Judge Lester Whipple: "He Was attractive, cultured, polite, considerate of his fellowman, and possessed an extremely penetrating intelligence and intuition, excelling in everything he tried, and he could rope a steer with the same ease that he could ride a bucking horse."

Mr. Gilcrease was often quoted as saying: "Every man must leave a track and it might as well be a good one." Thomas Gilcrease did not leave tracks but rather a monument, his beloved museum, which long will stand as a tribute to his efforts, and the Indian heritage of this country.

Okie. By Mike McCarville. (Colorgraphics, Oklahoma City, 1970, pp. 80, \$2.00.)

As one might suspect from the title, this little book is a defense of the term, "Okie." The author cites the many reasons for pride in our state today which justifiably have changed the meaning of "Okie" from one of derision to one of respect. Much has changed in Oklahoma since the dust bowl days of Steinback's novel, and Governor Bartlett's new definition of "Okie," as quoted by the author, "Oklahoma, Key to Intelligence and Enterprise," seems most timely. This "small book about a big word" has a pleasing format.

Vinita, I. T., The Story of a Frontier Town of the Cherokee Nation, 1871-1907. By O. B. Campbell. (Colorgraphics, Oklahoma City, 1969, pp. 170.)

Mr. Campbell has included much factual information and personal recollection in this brief but inclusive history of a frontier town in Indian Territory. The story of Vinita is largely of the Cherokee Indians and the mixed bloods which dates almost seventy years before Indian Territory and Oklahoma Territory became the 46th State. *Vinita, I. T.* covers thirty-six years prior to statehood, and includes early organizations, citizens, churches, schools, ranching, and personal observations: "It was a hunter's paradise—worlds of prairie chicken, quail, some deer and antelope, and fish . . . I wonder if any country was ever so enriched with varieties of beautiful wildflowers including wild roses and verbenas." These along with some of the drawbacks of the "good old days" add up to a fascinating account of a very unusual frontier town.

—Patricia Lester

Oklahoma Historical Society
Oklahoma City

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

July 23, 1970

President Shirk called the Quarterly Meeting of the Board of Directors of the Oklahoma Historical Society to order at 10:00 a.m. Thursday, July 23, 1970. The meeting was held in the Board Room of the Oklahoma Historical Society.

Members present for the meeting were: Mr. Lou Allard, Mrs. Edna Bowman, Mr. Joe Curtis, Dr. E. E. Dale, Mr. W. D. Finney, Dr. LeRoy H. Fischer, Mr. Bob Foresman, Mr. Denzil D. Garrison, Dr. A. M. Gibson, Mr. Morton R. Harrison, Mr. Dode McIntosh, Mr. Fisher Muldrow, Mr. Milt Phillips, Miss Genevieve Seger, Mr. George H. Shirk, and Mr. Merle Woods.

Members absent were: Mr. Henry Bass, Mr. Q. B. Boydston, Mr. Nolen Fuqua, Judge Robert Hefner, Mr. John E. Kirkpatrick, Mr. Joe McBride, Mr. R. G. Miller, Dr. James Morrison, and Mr. Earl Boyd Pierce.

Miss Seger moved with a second from Dr. Fischer that all members who had so requested, be excused from the meeting. The motion carried.

It was announced by Mr. Shirk and Mr. Phillips that Mrs. Edna Bowman will be inducted in the Hall of Fame in November and that Mr. Bob Foresman is listed in the current issue of Who's Who in America.

Mr. Fraker announced that thirty people had made application for annual membership in the Society and one life membership application had been received. He also stated that numerous gifts had been received in all departments. Mr. Curtis moved that all membership applications be approved and the gifts be accepted. Mrs. Bowman seconded the motion which passed.

In his report, Mr. Fraker stated that meetings between himself and the department heads, Mrs. Blaine, Mrs. Simpson, and Mr. Wettengel are being held each month to coordinate work of the staff.

Continuing his report, Mr. Fraker announced that two new historic sites, Folsom Chapel and the Green McCurtain Home, were in poor condition and would need extensive repair and restoration. He also stated that a memorial marker to Miss Dorothy Orton is being planned for the Fort Towson site.

He announced that attendance at all historic sites and the Historical Society Building is increasing and continues to do so each month.

Mr. Fraker also reported that a recent article in The Tulsa Tribune told of the intentions of Mr. Morton R. Harrison to resign from all Boards on which he is a member except the Board of Directors of the Oklahoma Historical Society.

Senator Denzil D. Garrison from Bartlesville was introduced to the Board. Senator Garrison had been elected to fill the vacancy caused by the death of R. M. Mountcastle.

Mrs. Bowman, Treasurer, reported on the Historical Society Tour Account, State Depository Account Number 18, and the Life Membership Endowment Fund. Mr. Phillips moved that the Trustees of the Membership Endowment Fund be instructed to pay from that account the amount now due to the Oklahoma Historical Society. Mrs. Bowman seconded the motion which was passed. Dr. Gibson moved that Mrs. Bowman's report be accepted as a true and correct statement of the financial condition of the Oklahoma Historical Society's special funds. This motion, seconded by Mr. Muldrow, was approved.

Mr. Phillips stated that production in the Microfilming Department was continuing to increase. He also stated that with the increased production and increased costs, there would soon be a loss in the Microfilm Account. Mr. Muldrow moved, with a second from Mr. McIntosh, that the Board authorize Mr. Phillips and the Microfilm Committee to raise the prices charged for microfilming. This motion was carried.

Historic Sites Committee report was given by Mr. Fraker. He announced that Mr. Muldrow had been authorized by the Executive Committee to restore the Washington Irving Marker east of Norman. Mr. Shirk reported that this had been done and a dedication ceremony had been held on July 5th.

Mr. Fraker stated that the site of Fort Washita is in fine condition and the contract for a new office building had been let.

Concerning the buildings owned by the Society at Fort Gibson, the Board was informed that Mr. Earl Boyd Pierce had secured the services of a Green Thumb crew and the work had already been finished. A contract for covering the windows is expected to be let in the near future.

In the absence of Mr. McBride, Mr. Shirk made the Publication Committee report. He said that Mr. McBride had requested that he be allowed to step down as Chairman of this committee, but would like to remain as a committee member. Mr. Shirk announced that he had accepted the resignation of Mr. McBride and asked that Mr. Lou Allard served with him as Vice-Chairman of this Committee. Mr. Shirk requested that approval of Dr. Gibson for the Publication Committee be given by the Board. This was done. The Publication Committee will now consist of: George H. Shirk, Chairman, Lou Allard, Vice-Chairman; Mr. McBride, Mr. Curtis, Mr. Miller, Mr. Phillips, and Dr. Gibson, members.

It was moved by Dr. Gibson and seconded by Dr. Fischer that a Resolution to Mr. McBride in appreciation of the splendid work he has done as Chairman of the Publication Committee and accepting his resignation be prepared and presented to Mr. McBride. This motion was adopted unanimously.

In his report for the Museum Committee, Dr. Fischer stated that work of the staff of the museum was increased because of the additional sites each year. He stated that the museum staff has a statewide operation which is becoming overwhelming in its proportion. He said the appeal of the museum committee is for additional personnel to get the job done.

Mr. Curtis, in making his report for the Library Committee, again urged each Board Member to read "Along The Trail" because the report contained therein is the best indication of the work done by the library staff.

In reporting on the Honey Springs project, Dr. Fischer stated that the 1970 Session of the Legislature had appropriated \$25,000 to the Honey Springs Battlefield Site. He said that arrangements have been made to conduct an archeological dig in the Honey Springs Park area.

Mr. Fraker gave a final report on the 1970 Tour stating that it was one of the finest tours ever conducted by the Historical Society. He also commented on the great amount of work done by the office staff in preparation for the tour. Due to the poor attendance on the tour this year, and the fact that money was lost, Mr. Fraker recommended the Oklahoma Historical Society Tours be conducted every other year instead of annually. The Chair referred this matter to the Executive Committee.

Mr. Shirk informed the Board that the grandson of Sam Houston lived in Woodward and that the city has named a street in honor of Temple Houston. Mr. Shirk urged each Board Member to write to the Mayor of Woodward commending such action.

In his report on the Overholser Mansion project, Mr. Shirk announced that the Grant Application to H. U. D. has been signed and is ready to be mailed. The local group has completed plans to raise \$100,000 for this project, he said.

Mr. Phillips reported that a committee formed from the Governor's Committee for Youth and Education in Oklahoma felt that education was geared to the past rather than the present and recommended that the teaching of Oklahoma History not be required in Oklahoma high schools as a requirement for graduation. Mr. Phillips moved that the Board of Directors appoint

a committee to attend the next meeting of the Governor's Committee for Youth and Education and encourage them to endorse a more strict requirement for Oklahoma History in our schools. This motion was seconded by Fisher Muldrow and unanimously agreed upon by the Board.

President Shirk appointed the following to this committee: Miss Genevieve Seger, Chairman; Mrs. Edna Bowman, and Senator Denzil D. Garrison, members.

Mr. Muldrow suggested that a Bill be introduced in the next session of the Legislature, with the backing of the Oklahoma Historical Society, requiring that each student in Oklahoma high schools have one (1) full year of Oklahoma History as a requisite for graduation.

A request made by Mr. Robert Breeden of the Industrial Development and Park Department was read by President Shirk stating that they are in the process of restoring the Pawnee Bill Home and Museum, and asking the Oklahoma Historical Society to make a permanent loan to that Department of the Pawnee Bill bust which is in the Society's possession. Mr. Morton Harrison moved that the Oklahoma Historical Society approve the request of the Industrial Development and Park Department, thereby making a permanent loan of the bust of Pawnee Bill to that Department. This motion was seconded by Mr. McIntosh and approved by the Board.

Mr. Curtis, Chairman of the Oklahoma Memorial Association Committee, stated that plans to build an Oklahoma Memorial Association Building are in the development stages.

Mr. Woods, Chairman of the Constitutional Revision Committee, stated that no meeting had been held yet, but he would have the preliminary plans worked out by the next Board Meeting.

Mr. Shirk announced that an appropriation to the Oklahoma Historical Society had been made by the last Legislature for the purchase and restoration of the Wigwam Neosho Site. As had been discussed many times before, there are two possible places for this site, the Scott Site and the Boling Site.

The late Mr. Leon Senter, Oklahoma Chairman for the 1934 Historic American Building Survey, had included Wigwam Neosho in that survey, saying that the Scott Site is the original site, but recently others have insisted that the Boling Site is the correct one.

Mr. Phillips moved that President Shirk appoint a committee to study the evidence provided for both sites and report at a future date. This motion was seconded by Mrs. Bowman and passed by the Board. Mr. Shirk appointed Dr. Homer Knight, Chairman; Kent Ruth, Miss Muriel Wright, Dr. LeRoy H. Fischer, and Dr. James Morrison as members.

The following people were nominated to receive Certificates of Commendation from the Oklahoma Historical Society for their "distinguished service in the cause of preserving and understanding the History of Oklahoma": Mr. John R. Parsons, Mr. John Potts, Mr. and Mrs. Milton B. May, and Mr. Gene Dillehay. Senator Garrison moved that Certificates of Commendation be approved for those persons nominated. Second was by Mr. Woods, and the consent was unanimous.

In reporting on the Land Sale Project in London, Mr. Shirk stated he had received a letter from Herrod's, that due to the death of the manager and appointment of a new manager, the land sale promotion of the Oklahoma Historical Society and the visit of Chief McIntosh would have to be canceled. Mr. Shirk also stated that he had conferred with Lord Montagu about the matter and felt it would be advisable for a representative of the Oklahoma Historical Society to visit Herrod's in London and try to work out a solution to this predicament.

Miss Seger moved that President Shirk, Miss Muriel Wright, and Miss Lucyl Shirk be requested to travel to London at their own expense and try to resolve the matter. This motion was seconded by Senator Garrison and passed by the Board.

It being determined there was no further business to come before the Board, the meeting was adjourned at 11:50 a.m.

GEORGE H. SHIRK, PRESIDENT
ELMER L. FRAKER, ADMINISTRATIVE SECRETARY

GIFTS RECEIVED IN SECOND QUARTER, 1970

LIBRARY:

A History of the Descendents of the Joseph Green and William S. Grove Families, 1969. Compiled by Marjorie Green Heim.

Donor: Mr. and Mrs. Edward Heim, Jr., Des Moines, Iowa.

"Cherokee History to 1840: A Medical View" by Dr. R. Palmer Howard, reprinted from *The Journal* of the Oklahoma State Medical Association, Feb. 1970.

"Health and Medical Practice in the Choctaw Nation, 1880-1907" by Wallace B. Love and R. Palmer Howard, M. D., reprinted from *The Journal* of the Oklahoma State Medical Association, March 1970.

"Disease, Medicine and Surgery Among the American Aborigines" by Ales Hrdlicka, M. D.

"Native Indian Doctors Were Once Renowned for Treating Wounds" from *Frontier Romances*, Vol. 1, No. 1, Lawton, Oklahoma, August 1, 1931.

Donor: Mrs. James P. Dewar, 3117 Pine Ridge Rd., Oklahoma City.

Leather Scrapbook of Oklahoma Academy for State Goals.

Donor: The Academy to Governor Bartlett; Gov. Bartlett to Oklahoma Historical Society.

Bound copy of Fort Sill Centennial Edition of *The Lawton Constitution*, January 5, 1969.

Large leather scrapbook of Fort Sill Centennial Observance, 1869-1969.

Donor: Fort Sill Centennial Celebration Committee to Governor Bartlett; Gov. Bartlett to the Oklahoma Historical Society.

Oklahoma City—The Industrial Center of the New Southwest, 1903; Merchant and Manufacturers Record.

Donor: Mrs. H. E. (Helen) Bradshaw, Oklahoma City.

Oklahoma Wildcat by Augusta "A. B." Weaver, 1938.

Donor: Stephen Powell, Special Collections Librarian, Univ. of Nevada, Las Vegas.

Bible Records of Spencer-Oldham, 1885.

Donor: Mrs. J. A. Sesler, Modesto, California.

Oklahoma Highway Maps of 77 Counties, 1970.

Donor: Ken Beard and Bob Bradway of Oklahoma State Highway Dept., Okla. City.

Railroads of Oklahoma, Jan. 1st, 1970—Map.

Railroad Map of 1909.

Indian Territory, 1894—Rand, McNally Map.

Railroads of Oklahoma, Jan. 1, 1970—Survey Division of Dept. of Highways, State of Oklahoma, S. D. No. 22.

Donor: Chester Davis of State Dept. of Highways of Oklahoma.

Fred Landon, 1880-1969.

Donor: James J. Talman, Chief Librarian, Univ. of Western Ontario, London, Canada.

Manuscript Notebooks (4) Compiled by David Wesley Newman.

Donor: David W. Newman, Britton, Oklahoma.

The Hallaquah, Vol. 1, No. 2, Jan. 1880.

Donor: The Newberry Library, Chicago.

Can a Mawl—Song and Praise—Hymnal of the Calvinistic Methodist Church of the United States, 1918.

Llyfr Tonau, John Roberts, 1876.

Newydd Testament, 1871.

Donor: Dr. Schuyler R. Cronley estate.

Corporate Seal of Town of Okmulgee, Indian Territory, before Statehood.

Corporate Seal of City of Okmulgee, State of Oklahoma after Nov. 16, 1907.

Xerox copy of letter from Cyrus Kingsbury to "Widdow Thileta Kingsbury in New Hampshire and dated "Rossville Cherokee March 13th, 1818 Chickamaugah."

Military Collector and Historian, Vol. 21, No. 4, Winter 1969.

The House on 14th Street—An Epic Poem by Neil McInnis, 1970. Xeroxed copy of original script prepared and presented locally on television.

Group of newspaper clippings for VF.

Historical Sketch of DeMolay in Oklahoma, March 21, 1921 to March 21, 1970.

Supplemental Assignment of Civil and Criminal Cases District Court, Oklahoma County, State of Oklahoma, Jan. 1914, Term.

Advisory List to the National Register of Historic Places, 1969.

Historic Preservation, Vol. 21, 1969; special issue on Pope-Leighey House.

Stewards of the Past—Highway Depts. and Archaeological Sites Preservations, George B. Hartzog, Jr., National Park Service.

United Appeal Annual Report, 1969, Oklahoma City.

Following Addresses by Members of Newcomer Society in North America: *The Ideas That Guide Us* by F. Gano Chance.

Growing With the Paper Industry by Karl F. Landegger.

From Cogwheels to Space-Age Systems by Thomas J. Brannan.

North-Northeast Chamber of Commerce Membership Directory, 1969-1970.

Oklahoma City Municipal Government Directory, 1966.

Opportunity—The University of Oklahoma Plan for Excellence.

Statement of the Case—The University of Oklahoma—The Plan for Excellence National Council, University of Oklahoma.

The Classic Car Club of America Handbook and Directory, 1969.

W A I F.

Canadian County Historical Society, Vol. 2, No. 1, Jan. 1970.

The American West, March 1970.

Volunteer Services Project, 1968-1969.

Western Historical Quarterly, Vol. 1, No. 1, Jan. 1970.

American Name Society Bulletin, No. 17, Feb. 1970.

The Salvation Army, Jan. 9, 1970.

The Journal—Oklahoma Bar Association, Vol. 40, No. 3, Jan. 25, 1969.

United States Air Force Logistics Command Information Kit.

First Strategic Aerospace Division, Vandenberg Air Force Base, California Information Kit.

Petroleum Panorama, 1859-1959.

Hank Seale Oil Directory, 1963.

A Pocket Guide to Great Britain.

Military Justice Handbook, July 1969.

Donor: George H. Shirk, Oklahoma City.

Indiana Magazine of History, Vol. LXV, Nov. 4, 1969.

Indiana Magazine of History, Vol. LXVI, No. 1, 1970.

Indiana History Bulletin, 1969.

Indiana Historical Society Library Report, 1969.

Donor: Don Kennedy, Oklahoma City by George H. Shirk.

Origin of the Name "Whiteside" compiled by Don Whiteside, Nov. 1966.

Donor: Compiler of Edmonton, Alberta, Canada.

United Daughters of the Confederacy Minutes of National Annual Convention for 1957, 1960, 1961, 1963 & 1964.

United Daughters of the Confederacy Annual Convention, Texas Division, 1931.

United Daughters of the Confederacy Annual Convention Proceedings, Oklahoma Division for 1958, 1969 (2), 1960, 1962, 1963(2), 1965, 1968 and 1969.

Donor: Mrs. Louise Cook, Jefferson Davis Chapter, Oklahoma City.

The Biles-Byles Family—How Green Was Our Valley by Bryan Biles, 1969.
Donor: Author, Altus, Oklahoma.

"Barbed Wire and Bureaucracy: The Formation of the Cherokee Strip Live Stock Association" by William W. Savage, Jr. Reprint from *Journal of the West*, Vol. 7, No. 3, July 1968.

Donor: Author, Norman, Oklahoma.

The Louisiana Genealogical Register, Vol. XVI, Nos. 1-4, 1969.

Ansearching News, Vol. 16, Nos. 1-4, 1969.

Georgia Pioneers, Vol. 6, Nos. 1-4, 1969.

The Treeseacher, Vol. 11, Nos. 1-4, 1969.

The Mirror, Vol. 16, Nos. 1, 2, 3, 4, 6, 1970.

Genealogical Reference Builders Newsletter, Vol. 3, Nos. 1-5, 1969.

Midwest Genealogical Register, Vol. 4, Nos. 1-4, 1969-1970.

Central Illinois Genealogical Quarterly, Vol. 5, 1-4, 1969.

The Maryland and Delaware Genealogist, Vol. 9, No. 1 Jan. 1968; Vol. 10, Nos. 1-4, 1969.

St. Louis Genealogical Society Quarterly, Vol. 2, 1-4, 1969.

The Colorado Genealogist, Vol. 30, Nos. 1-4, 1969.

Coos Genealogical Forum, Vol. 4, No. 4, 1968; Vol. 5, Nos. 1 & 2, 1969.

Linkage for Ancestral Research, Vol. 2, No. 4, 1969; Vol. 3, Nos. 1-4, 1970.

New Mexico Genealogist, Vol. 8, Nos. 1-4, 1969.

Michigana, Vol. 14, Nos. 1-4, 1969.

The Genealogical Record, Vol. 11, Nos. 2, 3, 4 and Ancestor Finding List.

Austin Genealogical Society, Vol. 10, Nos. 1-4, 1969.

Four States Genealogist, Index to Vol. 1, 1969-1970.

Tree Talks, Vol. 9, Nos. 1-4, 1969 & *Cousin Huntin'*, Dec. 1969.

Genealogical Tips, Vol. 5, Nos. 1 & 2, 1967; Vol. 6, No. 1, 1968.

Footprints, Vol. 12, Nos. 1-4, 1969.

Florida Genealogical Journal, Vol. 4, Nos. 1 & 2, 1968; No. 5, No. 1, 1969; Vol. 6, No. 1, 1970.

Echoes, Vol. 14, Nos. 1 & 2 1968; Vol. 15, Nos. 1, 2, 3, 1969.

The Genealogical Helper, Vol. 23, Nos. 1-4, 1969.

Thompson Family Magazine, Vol. 8, Nos. 28, 29, 30, & 31, 1969.

Gleanings—From the Heart of the Cornbelt, Vol. 3, Nos. 1-4, 1969.

Kern-Gen, Vol. 6, Nos. 1-4, 1969.

Genealogical Forum of Portland, Oregon, Vol. 19, Nos. 1-6, 1969; also *Year Book Supplement*.

Yakima Valley Genealogical Society Bulletin, Vol. 1, Nos. 1, 2, & 4, 1969.

North Texas Pioneer, Vol. 4, Nos. 1-4, 1969; also *Index*.

Gens Nostra, Vol. 24, Nos. 1-12, 1969 & *Index*.

Orange County California Genealogical Society Quarterly, Vol. 6, Nos. 1-4, 1969 and *Index*, 1969.

The Hoosier Genealogist, Vol. 9, Nos. 1-6, 1969.

The Mt. Hood Trackers, Vol. 9, Nos. 2 & 3, 1968; Vol. 10, Nos. 1 & 2, 1969; and *Surname Index*, 1969.

Pennington Pedigrees, Vol. 1, No. 4, 1969.

Pre-1858 English Probate Jurisdictions—Staffordshire, Series A, No. 28, Aug. 1, 1968.

Pre-1858 English Probate Jurisdictions—Rutlandshire, Series A, No. 34, Jan. 1, 1969.

Pre-1858 English Probate Jurisdictions—Cornwall, Series A, No. 35, Jan. 1, 1969.

Pre-1858 English Probate Jurisdictions—Devonshire, Series A, No. 36, Jan. 1, 1969.

Pre-1858 English Probate Jurisdictions—Dorset, Series A, No. 37, Jan. 1, 1969.

Boundary Changes of the Former German Empire and the Effect Upon Genealogical Research, Series C, No. 4.

The Census Records of Norway, Series D, No. 12.

The Probate Records of Norway, Series D, No. 13.

Major Genealogical Sources in Samoa, Series E, No. 3.

Major Genealogical Record Sources in Australia, Series E, No. 2, Nov. 15, 1968.

Ohio Report, 1969.

The Genealogical Society Observer, Vol. 5, Nos. 1-12, 1969.

Georgia Genealogical Society Quarterly, Vol. 1, Nos. 1-4 and Index; Vol. 2, Nos. 1-4; Vol. 3, Nos. 2 & 4; Vol. 4, Nos. 2, 3, 4, 5, 6, 1968.

"DeSpain Family Organization Bulletin", Dec. 1969.

Handy Book for Genealogists, 3rd Edition.

Handy Book for Genealogists, 1953.

"Babb Family Bulletin", Winter 1969.

Fargo Genealogy Society Surname Index, 1969-1970.

"Burton Families", Vol. 2, No. 4, Dec. 1969.

"Seward Cousins", Vol. 2, No. 2, Dec. 1969.

"Beaver Lake", Rogers, Arkansas, 1969.

A Letter to Our Relatives and Story of Family History of Our Dunnagan's-Dunagan's, by Margie DeV Vaughan Jones and Wilburn Elijah DeV Vaughan of Binger, Oklahoma.

Annals of Webster County, West Virginia Before and Since Organization, 1860 by Sampson Newton Miller (from Dr. B. B. Chapman to OGS).

Old Zion's Reformed Church, Brickerville, Pennsylvania by Miss Louise Rankin of Lancaster, Pa.

Donor: Oklahoma Genealogical Society, Oklahoma City.

1908 Cook Book.

Donor: Mr. & Mrs. Wehrmeyer, Oklahoma City.

Custer's Battle of the Washita and A History of the Plains Indians by Jess C. Epple, 1970.

Donor: Author, Warner, Oklahoma.

Some Kentuckians Move West—Creekmores, Blakleys & Related Families, Compiled by Anna Harman Bowman, April 1970.

Donor: Author, Oklahoma City.

Drumbeat, Vol. 3, Nos. 1, 2, 3, 1968.

To Whom It May Concern by Frank D. Hall, 1958.

Donor: Dr. B. B. Chapman, Orlando, Florida.

A History of Beaver County (Oklahoma) Pioneer Families, Vol. 1, published by Beaver County Historical Society, Inc., 1970.

Donor: Barclay Curtis, Okla. City.

"The Business of Banking is the Preservation of this Republic" by Jack T. Conn.

Donor: Mrs. Z. A. Ramsey, Oklahoma City.

Living Heritage—Poems of Social Concern by Leslie A. McRill, Poet Laureate Edition, 1970.

Donor: Author, Oklahoma's Poet Laureate, Oklahoma City.

Home Folks Book of the Darius Myers Family, compiled by Violet M. Beck.
Donor: Author by Herman J. Lehrbach, San Francisco, California.

Oklahoma Clippings; *Daily Oklahoman Orbit Sections*.

Oklahoma City People, Vol. 1, No. 1, Spring 1970.

Donor: The Harry Stallings, Oklahoma City.

Report on the Obstructions to Navigation of the Arkansas River by Lieut. T. S. Brown, Corps of Engineers, St. Louis, Missouri, May 8, 1833. Xeroxed copy

Donor: Elbert Costner, Poteau, Oklahoma.

Illinois Regimental Volunteer Infantry Honor Chart of Benjamin W. Todd, Jan. 20, 1898.

Donor: Maude O. Shade, granddaughter, of Oklahoma City.

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Letter of May 27, 1970 from Earl Boyd Piece to Dr. Marvin O. Briggs, Dallas, Tex., re intruders in Cherokee Nation.

Choctaw & Chickasaw Nations v. State of Okla., Docket 41, and Cherokee Nation of Okla. v. State of Okla., Docket 59 (Riverbed case), in Supreme Court U.S.: Opinion; Separate concurring opinion and dissent.

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The major objective of the Society involves the promotion of interest and research in Oklahoma history, the collection and preservation of the State's historical records, pictures and relics. The Society also seeks the co-operation of all citizens of Oklahoma in gathering these materials.

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COVER: The print, "Wild Turkey," on the front cover reprinted from *Canadian River Hunt* by Gen. Wm. E. Strong (Oklahoma University Press, Norman, 1960) by permission from the University Press. The original drawing appeared in Gen. Strong's manuscript (1878) published with the introduction by Fred P. Schonwald, 1960.

WILD TURKEYS IN OKLAHOMA

By Lonnie E. Underhill and Daniel F. Littlefield, Jr.

Perhaps no game bird was as conspicuous to American pioneers as *Meleagris gallopavo*, more commonly known as the wild turkey. He is a large, bronze-colored bird. "In all adult turkeys the head and neck are bare or sparsely covered with down; the nostrils are completely exposed; in the male there is an erectile lappet which usually hangs down over the beak." The body feathers are "firm, broadened distally, and chopped off in appearance. The aftershafts are large. The wing is pronouncedly rounded, the outermost and innermost of the primaries being of about equal length. The tail is large, composed of eighteen broad feathers."¹ Because of his size, the turkey became an important source of food for the early American colonists and, later, the frontiersman. William Wood in 1634 wrote in his *New England Prospect*: "The turkey is a very large bird, of a blacke colour, yet white in flesh, much bigger than the English turkey. He hath the use of his long legs so ready that he can runne as fast as a dogge and fly as well as a goose. Of these sometimes there will be forty, three score, and a hundred of a flock . . . these turkies remaine all the yeare long, the price of a good turkie cocke is four shillings; and he is well worth it, for he may be in weight forty pounds."² Two hundred and fifty years after Wood wrote these words, *Meleagris gallopavo* had all but disappeared from the American woodlands. The virgin woodlands were cleared, the ground broken. As the American's leisure time increased, hunters who shot the birds for sport took their toll. As the wilderness passed, the wild turkey retired to those less inhabited regions that offered him the seclusion and sustenance he required. One of those regions was what is now Oklahoma, where, for most of the nineteenth century, *Meleagris gallopavo* flourished in great numbers.

Early travelers in the Indian Territory recorded numerous sightings of the wild turkey. Notable among them was Washington Irving who, along with his colleagues Count de Pourtales and Charles J. Latrobe, recorded sightings almost daily. Irving found the birds rather tame and stupid: "Scarcely had we dismounted, when the universal firing of rifles took place upon a

¹ George Miksch Sutton, *Oklahoma Birds* (Norman: University of Oklahoma Press, 1967), pp. 144-145.

² Cited in Roger M. Latham, *Complete Book of the Wild Turkey* (Harrisburg, Pa.: The Stackpole Co., 1956), pp. 6-7.

large flock of turkeys, scattered about the grove, which proved to be a favourite roosting place for these simple birds. They flew to the trees, and sat perched upon their branches, stretching out their long necks, and gazing in stupid astonishment, until eighteen of them were shot down.”³ Irving recorded the abundance of the country, and he recorded the waste of the hunters. He tells how they abandoned camp, leaving behind “the hides, the horns, the antlers and bones of buffaloes and deer, with uncooked joints, and unplucked turkeys, left behind with that reckless improvidence and wastefulness which young hunters are apt to indulge when in a neighborhood where game abounds.”⁴ Irving’s statement here is perhaps prophetic of the waste that was to take place later in the century, waste not only of the birds themselves but more importantly of the forests that were their habitat. Another noted traveler, Josiah Gregg, in the same decade as Irving noted that “About the Cross Timbers and indeed on all brushy creeks, especially to the southward, are quantities of wild *turkeys*, which are frequently seen ranging in large flocks in the bordering prairies.”⁵

Evidence shows that turkeys were plentiful in most sections of what is now Oklahoma during the latter part of the nineteenth century. They roamed the Cherokee Nation in countless droves.⁶ In the Crystal Cave area of southwestern Adair County, wildlife was naturally attracted to the dense wilderness and fine springs of clear water. On many of the hunts in this area, Robert B. Choate made photographs of the day’s bag and he proudly displayed these photographs in his home. Several of the hunters would have as many as half a dozen fine turkeys displayed in their hands.⁷ Other sources confirm the abundance of turkeys throughout Adair County.⁸ In the woods of Cherokee County, one hunter killed one hundred and five turkeys during a single

³ Washington Irving, *A Tour on the Prairies* (Oklahoma City: Harlow Publishing Corporation. 1955), pp. 112-113.

⁴ *Ibid.*, p. 135.

⁵ Josiah Gregg, *Commerce of the Prairies in Early Western Travels, 1748-1846*, ed. Reuben Gold Thwaites (Cleveland, Ohio: Arthur H. Clark Co., 1907), Vol. XX, p. 282.

⁶ Oklahoma Historical Society, Indian Archives Division, *Indian-Pioneer History*: See Henry Dubose, Vol. III, p. 278; U. A. Silk, Vol. LVIII, p. 238; Joe Southern, Vol. LIX, p. 480; C. M. Lumkin, Vol. CVI, p. 402.

⁷ Robert B. Choate, *Indian-Pioneer History*, Vol. II, p. 73.

⁸ William Jones., *ibid.*, Vol. VI, p. 16, for instance.

winter, all of which were consumed by his family.⁹ Among the Cherokees only the children hunted turkeys during most of the year. The older hunters sought what to them was more desirable game, such as venison. These younger boys would disguise themselves with camouflage made from turkey plumage, crawl behind a log, show a part of the plumage, and call the turkeys close enough that they could reach out and grab them by their feet and legs.¹⁰

Turkeys were also plentiful in the Creek Nation. Many were found near Okemah¹¹ and Sapulpa.¹² In the timber around Henryetta it was supposedly not uncommon to drive a wagon into a flock of turkeys numbering 150-200. One person stated that he drove his wagon into such a flock, leisurely selected a prime target, fired once, and killed two birds weighing over twenty pounds each.¹³

Turkeys in the Choctaw Nation were "as thick as black-birds,"¹⁴ with some hunters claiming to have killed several hundred in 1885.¹⁵ After the Choctaw, Oklahoma, and Gulf Railroad went through the Choctaw Nation in the 1890's, the engineer would stop the train and allow passengers to shoot turkeys as they were seen along the railroad right of way.¹⁶ Ada Hall, long time resident of the Nation, said that it was not uncommon for the wild turkeys to come up to farm houses where domestic turkeys were being raised and create great fights, many times compelling the farmer to go to the edge of the timber and separate his tame turkeys from the wild ones.¹⁷ Frequently, it was difficult to raise domestic turkeys because the wild turkeys would entice them to wander off as they would start for roosting areas in the evenings.¹⁸

⁹ Jim Brooksher, *ibid.*, Vol. XVI, p. 452.

¹⁰ Latham, *Complete Book of the Wild Turkey*, pp. 4-5; Joseph W. Foster, *Indian-Pioneer History*, Vol. LIII, p. 138.

¹¹ Bill Stoddard, *ibid.*, Vol. II, p. 223.

¹² Anna Watkins, *ibid.*, Vol. XLIX, 16.

¹³ L. F. Baker, *ibid.*, Vol. LI, p. 73.

¹⁴ William Pierson, *ibid.*, Vol. VIII, p. 241.

¹⁵ Charles Jefferson, *ibid.*, Vol. V, p. 428.

¹⁶ Samuel L. Davis, *ibid.*, Vol. XXII, p. 57; Millie Hallum, *ibid.*, Vol. XCII, p. 99.

¹⁷ Ada V. Hall, *ibid.*, Vol. XXVII, p. 155; Minnie W. Hodge, *ibid.*, Vol. LXII, p. 165.

¹⁸ Arthur Black, *ibid.*, Vol. XC, p. 333.

S. V. Tucker claimed that "this was the awfulest turkey country I ever saw." He was on his way to Hugo once and as he passed Salt Springs, he saw one of the biggest flocks of wild turkeys he had ever seen, counting some 150 turkeys. He did not have a gun and just for fun he walked around the turkeys and herded them from the timbered shelter where they were to his wagon so that the others with him could see them.¹⁹

Around Kingfisher wild turkeys were also plentiful, cottonwood trees being as frequented by turkeys at one time as by crows in more recent years. One report was that the branches of the tall cottonwoods were "black with turkeys." In the winter during heavy snows, the turkeys would scratch in the snow searching for acorns. From a distance the entire hillsides would appear black as contrasted with the snow covering the prairies below.²⁰ When the settlers around Kingfisher wanted turkeys, they went to the roosts and killed them. When food was scarce during the winter, those who had guns and ammunition would kill as many as possible per day (one man killed 37) and give them to the settlers who were in need of food.²¹

Further to the southwest in the Kiowa-Comanche country young turkeys were killed by most settlers every day and fried for lunch or dinner.²² Many turkeys were in the Fort Sill area²³ and in the canyons along the South Canadian River in the Caddo country.²⁴ In the Cheyenne-Arapaho country ten miles up river from Cantonment was an area known locally as Sheridan's Turkey Roost. It was a valley about a mile long filled with cottonwood trees. Hunters would go there in late afternoon and hide, and at sundown the turkeys would come in droves from all directions. At dark the trees would be covered with large turkeys. On bright starlit evenings this was a favorite spot for hunters.²⁵

The turkey was useful to the Indian and pioneer settlers in the Indian Territory. His immediate use, of course, was food. Young

¹⁹ S. W. Tucker, *ibid.*, Vol. XLVII, p. 366.

²⁰ John H. Dillon, *ibid.*, Vol. XXII, p. 278.

²¹ John H. Dillon, *ibid.*, Vol. LXXXIII, p. 253.

²² Mrs. John B. Sacras, *ibid.*, Vol. XLIII, p. 198.

²³ Tony Wade, *ibid.*, Vol. LXVIII, p. 408.

²⁴ Mary Schwab, *ibid.*, Vol. CI, 104.

²⁵ Ed Murphy, *ibid.*, Vol. LXXI, p. 485.

turkeys were generally fried much the same as modern families use chicken. In winter months turkey meat was combined with pork and a turkey sausage blended, which was a very mild and delicious meat.²⁶ Pioneers would kill turkeys and place them among their hams and bacon and other meats to be smoked and preserved for later use.²⁷ In winter months, when temperatures were extremely low, a supply of wild turkeys could be stored for easy access.²⁸ Certainly, food was only one product which came from the turkey. His smaller body feathers were collected, cleaned, and used as mattresses and pillows.²⁹ The Indians used the straight tail feathers on their arrows, which, according to one source, were by far the most desirable feathers for that use.³⁰

For most of the settlers obtaining a turkey on short notice for dinner was no big chore. The turkeys were ordinarily unafraid to come within firing range of houses or to eat with domestic turkeys and chickens. They frequently roosted in large adjoining farm homes or on rail fences around homes and barns.³¹ Those who had turkeys roosting in their front yards never needed to worry about oversleeping, because promptly at sunrise, the big birds made such a terrible racket that no one for miles around could remain asleep.³²

Hunters and woodsmen in spring time often discovered nests of wild turkey eggs, unguarded by the hen as they were scouting the forest. These eggs would be taken home with them and set under domestic fowls. Quite often the eggs hatched and the wild turkeys would stay with the domestic fowls for some time. They were usually timid and not easily caught. Some sources state that the wild turkeys would venture off as quickly as their instinct

²⁶ Mrs. J. B. Walker, *ibid.*, Vol. XLVIII, p. 300.

²⁷ Mrs. Pink Poynter, *ibid.*, Vol. LXX, p. 333.

²⁸ Clark M. Winifred, *ibid.*, Vol. CIII, p. 21.

²⁹ Willie Tiger, *ibid.*, Vol. X, p. 521.

³⁰ Latham, *Complete Book of the Wild Turkey*, p. 4; see also Alice Mathews Washington, *Indian-Pioneer History*, Vol. XLVIII, p. 504; William King, *ibid.*, Vol. LX, p. 213; Mrs. A. J. Everts, *ibid.*, Vol. LXIV, p. 100; Lizzie Wilson Chair, *ibid.*, Vol. LXXXVIII, p. 212.

³¹ Anderson Wister, *ibid.*, Vol. I, p. 118; Minda G. Hardin, *ibid.*, Vol. IV, p. 290; E. S. Jenkins, *ibid.*, Vol. V, p. 437; Grace Kelly, *ibid.*, Vol. V, p. 6; Jim Simpson, *ibid.*, Vol. CI, p. 375; William Floyd Davis, *ibid.*, Vol. CV, p. 10.

³² Ernest Morgan, *ibid.*, Vol. XXXVII, p. 205; R. Y. Audd, *ibid.*, Vol. XII, p. 518; Laura Scott, *ibid.*, Vol. CIII, pp. 167-168.

to roost in trees developed. Usually these wild turkeys were kept penned and eaten as soon as they were frying size.³³ Young turkeys found in nests were only rarely kept alive by a hunter until they reached maturity.³⁴

Turkey hunters devised various means to catch their prey. Some used a reed to call the birds to their positions. The reed was short and hollow and when placed between the palms of the hands and blown upon, it produced a sound similar to a turkey.³⁵ One man used a hollow wing bone, or a joint of cane, or a leaf, which when placed against the lips and blown upon produced various notes of the gobblers or hens with, of course, more or less accuracy depending on the skill of the hunter. The turkeys had different calls, and it was necessary for the hunter to have a knowledge of "turkey talk," for the turkey could generally detect false notes and imperfections in the counterfeit voices. The method of calling turkeys probably required more skill, patience, and knowledge of turkey lore than most hunters possessed.³⁶

Frequently, traps were made to catch the turkeys alive. One common type of trap was a pen built of logs of up to six inches in diameter. The pens were, according to one source, twelve feet square and four and one half feet in height, with brush and poles covering the top. Whatever the dimensions of the enclosure, the entrance was always a shallow trench beneath one side. In this trench, corn would be scattered sparsely, with a generous stack on the inside of the pen. As the turkeys would feed on the corn outside the pen, they would generally keep their heads down and continue walking through the trench until they were on the inside of the pen. Once they were inside the pen and discovered that they had become trapped, they tried to escape usually through the top. Only on rare occasions did the turkeys happen to escape through the trench through which they had entered the pen. Often, numbers of turkeys were caught at one time in this manner.³⁷

³³ Eastman Harris, *ibid.*, Vol. LIII, p. 188; Andy Tucker, *ibid.*, Vol. XLVII, p. 333; Isa S. Smith, *ibid.*, Vol. LIX, p. 325; Sallie Gaddis, *ibid.*, Vol. LXXXIV, p. 7.

³⁴ Thomas J. Savage, *ibid.*, Vol. CI, p. 62.

³⁵ Bill Stoddard, *ibid.*, Vol. II, p. 223.

³⁶ Latham, *Complete Book of the Wild Turkey*, p. 85.

³⁷ Dawes Fife, *Indian-Pioneer History*, Vol. XXIII, p. 243; Robert E. Lee Good, *ibid.*, Vol. CV, p. 421; Latham, *Complete Book of the Wild Turkey*, p. 84.

Turkey traps were not confined to roosting areas. Occasionally, traps of approximately four feet square were placed in front yards at settler's homes. Feed was placed inside, and a string was run from the trap to a nearby window. Someone would wait inside the house until a turkey or other fowl ventured into the trap, at which time the cord was jerked, confining the bird inside.³⁸

While trapping turkeys in nooses or loops was not common, occasionally a hunter, low on ammunition, would experiment with various techniques. First, he would locate where the turkeys had been roosting and would place a stout string in a loop on top of some small twigs on the ground and fasten the other end to a taut sappling nearby. Inside the small corral of twigs and loop was placed a bait of corn. The loop was far enough above the ground to compel the turkey to stick his neck into the circle, making an easier way for him to get the corn inside. When he scratched the twigs away from the circle, all the time extending his long neck inside, the trigger fastened inside the twigs would spring loose, and the loop would fasten itself around the turkey's neck. When the hunter returned, the turkey would be dangling from a limb about eight feet above the ground, out of reach of predators.³⁹

A method used by the Indians along the Washita River was to select a stout sappling, mount their horses, and chase the turkeys out into the open country. Since turkeys do not fly very high, the Indians could ride their ponies alongside the flying birds and whip them from the air. After a thorough thrashing with a stout sappling in the hands of a strong Indian, the turkeys would usually be dead when they fell to the ground.⁴⁰ Another incident when ponies were used occurred around Henryetta. A hunter had located a good flock of some thirty birds. He had made claims that his pony was as smart as a person, saying that when he ran onto a flock, his pony would single out one bird and run after it. The turkey would run a distance and then fly but it would not fly far. When it did land, it would have to run a short distance in order to fly again. The horse would be close behind the turkey and when the turkey landed, ran, and started for the air again, the pony would run alongside it. At this moment, the rider would attempt to catch the turkey in his hands.⁴¹

³⁸ Mrs. May Johnson, *ibid.*, Vol. CVI, p. 192.

³⁹ Robert E. Lee Good, *ibid.*, Vol. CV, p. 421.

⁴⁰ Washeen Robinson, *ibid.*, Vol. XLII, p. 233.

⁴¹ Cora Smith, *ibid.*, Vol. LIX, p. 254.

Besides its meat for the Indian's or settler's table, the wild turkey provided a good deal of pleasure for professional hunters. Military men such as Lieutenant General Phillip H. Sheridan sometimes mixed reconnaissance trips with hunting. Sheridan wrote General W. A. Nichols in mid winter 1868-69 that "Turkeys are so numerous that flocks as large as one to two thousand have been seen." And on February 24, 1869, on his way from Fort Sill to Fort Hayes, Sheridan camped on the North Canadian River, where "The men engaged in a turkey hunt, killing sixty-three birds, of which Sheridan bagged eight."⁴² An account of the hunt was recorded by General William E. Strong and is one among few that has survived. Strong summarized the hunt with the following:⁴³

The cracking and flashing of the four breach loading guns—the indescribable and never ceasing flutter of countless wings,—the snapping of the branches, as now and then a huge turkey came tumbling from the boughs of a cottonwood,—the struggles of the wounded birds, and the sharp and exciting chase after the wing-broken ones—over down timber—through dense thickets—sometimes up to one's knees in mud and water,—now stumbling and falling, with the wounded bird almost within your grasp, and a moment later perhaps, thrown flat on your back by a swinging grape vine,—hands and face scratched and bleeding, clothes torn, and after all to have the wounded birds escape,—as they invariably did when only wing broken—all this, crowded into that hour and a half in the turkey roost, was more exciting, more exhausting, and more enjoyable, withal, than the labors of a full day of ordinary hunting. Every atom of strength one possessed was called into use,—every muscle strained to its utmost tension. Nothing but the keen excitement prevented me from falling in my tracks, and I panted like a stag run down by the hounds.

Frederick S. Barde recorded an extended account of a hunt that took place in the 1880's on Rock Creek in the Osage Nation. The hunters claimed that one flock numbered "five or six hundred. At the moment," he said, "I was confident there were more than a thousand. They were scattered over about six acres of ground . . . That scene is my one great memory of the woods, dream-like and beautiful, that stands out beyond all other things that I ever beheld as a hunter." This hunter and his partner bagged forty-three, some of the gobblers weighing thirty pounds.⁴⁴

The wild turkey was also beset throughout its lifetime by a

⁴² Carl Coke Rister, *Border Command: General Phil Sheridan in the West* (Norman: University of Oklahoma Press, 1944), 130, 146, cited in Fred P. Schonwald, ed., *Canadian River Hunt* (Norman: University of Oklahoma Press, 1960), p. xiii.

⁴³ *Ibid.*, pp. 22-23.

⁴⁴ Frederick S. Barde, *Field, Forest, and Stream in Oklahoma: Annual Report of the State Game and Fish Warden* (Guthrie: Co-Operative Publishing Co., 1912), pp. 67-73.

host of natural enemies. Wolves, foxes, raccoons, opossums, skunks, and rats among the mammals, preyed upon the birds according to their size, and robbed the nests whenever they found them deserted or could drive away the occupants. Crows destroyed the eggs and sometimes the young birds. Certain hawks and eagles and the Great Horned Owl attacked the half grown young and occasionally the full grown turkeys. The Great Horned Owl is said to rouse the sleeping turkeys by its call and selecting a victim, crowd it off its perch until the bird took to wing. Then the owl followed in pursuit and captured it in flight.⁴⁵ But the wild turkey survived these enemies well. However, as much cannot be said for the effects of man—the most effective predator.

The turkeys served the pioneer well until eastern markets began sending hunters into the Indian Territory to claim large portions of the birds for shipment to the east. Various reports told of the easy money involved in the sale of wild turkeys. Citizens of the Territory and outsiders were frequently prompted into selling wild game through reports in newspapers such as, "Young wild turkeys are reported very plentiful on the Arkansas River in the Osage Nation";⁴⁶ and "Wild turkeys are abundant this season."⁴⁷ One man killed around eight turkeys each morning and dressed them before he had his breakfast in order that he could sell them at a local market for a dollar apiece on his way to work. The turkeys were so fat and large that their skins would pop open as they were being dressed.⁴⁸ Others were paid from twenty-five cents to seventy-five cents apiece for the dressed birds.⁴⁹ Often commercial hunters would come to the Territory themselves to hunt. They would take a wagon and wooden barrels in which the dressed game could be placed in a salt brine for preservation. After killing an entire wagon load of game, the hunters would then make shipments to Dallas, St. Louis, Kansas City, New York, Memphis, and local markets in Sapulpa and Quanah.⁵⁰

⁴⁵ Latham, *Complete Book of the Wild Turkey*, p. 11.

⁴⁶ The *Edmond Sun-Democrat*, October 29, 1897, p. 1, col. 6.

⁴⁷ *Cheyenne Transporter*, October 28, 1883, p. 1, col. 4.

⁴⁸ B. H. Airington, *Indian-Pioneer History*, XII, 173; G. J. Benn, *ibid.*, Vol. LXVI, p. 181; William H. Winston, *ibid.*, Vol. LXVII, p. 408,

⁴⁹ Henry Vogel, *ibid.*, Vol. XI, p. 87; Cyrus Thurston, *ibid.*, Vol. XLVII, p. 89; J. M. Camp, *ibid.*, Vol. LXXIX, p. 13; Mrs. Maggie Clanton Warthem, *ibid.*, Vol. XCV, p. 363.

⁵⁰ Mrs. Annie Tracy, *ibid.*, Vol. XLVII, p. 279; John C. Chamberlain, *ibid.*, Vol. LXV, p. 56; W. P. Whine, *ibid.*, Vol. LXX, p. 483; J. W. Abbott, *ibid.*, Vol. XCIX, p. 5; William James, *ibid.*, Vol. LXXXVI, p. 62; J. A. Fulp, *ibid.*, Vol. CV, p. 340; Lillie Hollowell, *ibid.*, Vol. LXXXV, pp. 146-147.

Frequently, the wild game and turkeys prepared for market were not properly preserved and sometimes, too, the markets would be flooded and would refuse to purchase the meat supplied it. On one occasion a man named Stevens killed seventy-five turkeys in one afternoon, loaded them undressed onto his wagon, and drove to Quanah, Texas, thinking that he could pick up a little extra Christmas money. Upon arriving there, however, he discovered that he could not sell a single turkey. This compelled him to find another method of disposal. Disgusted at his misfortune, Stevens unloaded them on the prairie where they were allowed to decay since most carnivores, excepting the coyote and the eagle, preferred live birds instead of eating the decayed ones.⁵¹

The turkey population declined rapidly in the territories. In the early 1890's, a naturalist named Dyche visited the Indian Territory in search of the wild turkey. Cowboys told him that the turkeys had regular roosts and showed him where "they said they" had seen thousands at a time in the trees; but the pot-hunters are after them, and this noble game-bird will go the way of the buffalo and be a thing of the past, unless vigorous means of protection are soon taken. The birds were formerly seen from Maine to Florida and from the Pacific to the Atlantic ocean . . . Now they are scarce, and will soon be classed among the rarest birds."⁵² The citizens of both the Indian Territory and Oklahoma Territory attempted to protect the turkeys and other game from hunters by passing laws, but the laws generally proved ineffective.

The coming of the railroads in the 1870's provided a means of rapid transportation by which the professional hunters could ship game from the territories to northern and eastern markets. Their activities in the territory soon made it imperative that the various nations pass laws to protect game from such hunters. In 1875 the Choctaw Nation passed a law which made it an offense for non-citizens to hunt on Choctaw lands.⁵³ Those who rented land or were immigrants working in the Choctaw Nation were permitted to hunt but those who hunted as a business were prohibited.⁵⁴

⁵¹ A. B. Harding, *ibid.*, Vol. IV, p. 314; Bessie Oakes Bearden, *ibid.*, Vol. XIV, p. 105.

⁵² Clarence E. Edwards, *Camp-Fire of a Naturalist* (New York: D. Appleton & Company, 1894), pp. 116-117.

⁵³ *The Atoka Vindicator*, November 24, 1875, p. 4, col. 4-5.

⁵⁴ *The Atoka Vindicator*, December 8, 1875, p. 4, col. 1.

The Cherokees in 1877 likewise passed a law prohibiting citizens of the United States from killing game within the nation.⁵⁵ This law was replaced by a more stringent law in 1885, which read: "It shall be unlawful for any citizen of this Nation to ship or transport, in any manner, beyond the limits of the Cherokee Nation, for the purpose of trade or commerce, any game, either dead or alive . . . or sell the same to any non-citizen inside the Cherokee Nation." Violations were punishable by fines of \$200 or one year in the national prison for each offense. The law further provided for the seizure and removal of any non-citizen violating the game laws.⁵⁶

A news item in the Muskogee *Indian Journal* in 1884 tells the story of the unfortunate situation which faced the Indian nations:

Of late years the Territory which stands out as a grand game reserve has been attracting hunting parties from the states. Every year they came with better weapons and better dogs, until the killing of game being made easy, they were not content with the sport of securing enough for their own use but must kill the chickens and quail by the hundreds merely for the sport of killing. Lately several cases are reported where parties have killed large numbers only to let them rot where they dropped . . .

The *Journal* cited a Federal law protecting game in the Indian country (*Revised Statutes*, Sec. 2137, p. 373):⁵⁷

Every person other than an Indian who within the limits of any tribe with whom the United States has any existing treaties hunts or traps or takes and destroys any peltries or game, except for subsistence in the Indian Country shall forfeit all the traps, guns, and ammunition in his possession, used or procured to be used for that purpose, and all peltries so taken, and shall be liable in addition to a penalty of \$500.

A decade and a half later, the authorities in Western Indian Territory were facing essentially the same problem. In December of 1898, notice was given to hunters on Indian lands of the Darlington Agency, reminding them of the penalties of Section 2137. The *Kingfisher Free Press* noted that the practice of hunting on such lands had become common, resulting in the tearing down of fences, the starting of prairie fires, and the loss of stock belonging to the Indians, and the newspaper called for the "strict enforcement of these statutes at the hands of the Indian agents."⁵⁸

⁵⁵ *The Cherokee Advocate*, April 13, 1878, p. 3, col. 1.

⁵⁶ *Constitution and Laws of the Cherokee Nation* (Parsons, Kansas: The Foley Railway Printing Co., 1893), pp. 204-205.

⁵⁷ *Muskogee Indian Journal*, August 14, 1884, p. 4, col. 2.

⁵⁸ *The Kingfisher Free Press*, December 8, 1898, p. 1, col. 2-3.

The story was later much the same in the Oklahoma Territory. In the 1890's efforts were made to limit the killing of game, including turkeys, in the territory. In 1891 the law read that wild turkey, quail, partridge, prairie chickens, or grouse could be shot from September 1 to December 31 of each year. Violators were subject to fines of five to fifty dollars for each offense.⁵⁹ An 1895 law established a season on turkeys to begin November 1, violations punishable by fines not to exceed one hundred dollars. Exporting game was also made punishable by heavy fines.⁶⁰ But the sale of game continued, despite the law. Sportsmen in Oklahoma City organized to protect the game,⁶¹ citizens of the Territory became indignant,⁶² and many newspapers waged war against the slaughter.⁶³

However, the slaughter continued until statehood. In January of 1905, the Indian police of the Indian Territory received instructions to examine and report all deer, turkey, quail and prairie chicken offered for sale or shipment at railway stations throughout the territory. "It is the intention of the government to stop the wholesale slaughter and shipment of game," said the *Kingfisher Free Press*.⁶⁴ At least one express company in that same year gave token support to the government's effort to curb the traffic in game. The American Express Company issued orders for its agents "in Indian and Oklahoma Territories not to receive any shipments at any time of the following named game which is contrary to law: Deer, buck, doe, fawn, antelope, prairie chicken, grouse, quail, wild turkey, dove, or any insectivorous birds." The company made no threat to fire any agent violating the order but simply refused him assistance in making his defense in the courts.⁶⁵

With Oklahoma statehood came more effective legislation. There was established a State Game and Fish Warden's office, which was hampered for the first few years of statehood by a small budget. Laws were also passed requiring hunting licenses or

⁵⁹ *The Norman Transcript*, August 8, 1891, p. 4, col. 3.

⁶⁰ *The Stillwater Gazette*, September 5, 1895, p. 1, col. 2.

⁶¹ *The El Reno News*, October 15, 1896, p. 2, col. 1.

⁶² *The El Reno News*, November 6, 1896, p. 2, col. 1.

⁶³ *The Norman Transcript*, November 16, 1899, p. 1, col. 3.

⁶⁴ *The Kingfisher Free Press*, January 19, 1905, p. 2, col. 1.

⁶⁵ *The Wilburton News*, January 19, 1905, p. 7, col. 4.

permits which could be purchased from the county clerks or the state game and fish warden.⁶⁶

In 1913 the Oklahoma State laws were bolstered by a federal law, known as the McLean Bill, which became effective October 1, after which date it took "precedence over all state laws for the protection of game." The Oklahoma law at this time provided for non-resident hunting licenses but forbade non-residents killing wild turkey, deer, or prairie chicken.⁶⁷ Unfortunately, by the time effective legislation and a staff of wardens to enforce it became fact, the turkey population, as that of other wild life, was much reduced. Despite the unrestricted slaughter, in 1897 young turkeys were reported "very plentiful on the Arkansas River in the Osage Nation."⁶⁸ By the time of statehood, their numbers were described as "few."⁶⁹

In 1912, when game laws were in the process of amendment, the game commissioner stated, "It may be futile to hope that the wild turkey will survive his enemies."⁷⁰ But the turkey did survive. In 1912, Barde found the greatest numbers in the Kiamichi mountains. In 1913, they were few and were confined to Sequoyah, Adair, Delaware, Dewey, and Comanche counties.⁷¹ Professor George M. Sutton, in his excellent book on Oklahoma birds, writes, "It is doubtful that the original *M. gallopavo* has survived in any part of Oklahoma, except possibly in the Black Mesa country, but birds have recently been introduced into many areas, and at this writing the species is well established, especially in the western half of the state."⁷²

The story of wild turkeys in Oklahoma has perhaps a happier ending than stories of other wildlife such as the buffalo or the passenger pigeon. And perhaps, too, there is something reassuring in the history of a natural species that is hardy enough to survive the intrusion of man upon its natural habitat, especially an intrusion as intense and purposeful as that in the Oklahoma and Indian Territories.

⁶⁶ *The Vinita Weekly Chieftain*, August 13, 1909, p. 8, col. 1.

⁶⁷ *The Indian Journal*, September 19, 1913, p. 5, col. 3.

⁶⁸ *The Edmond Sun-Democrat*, October 29, 1897, p. 1, col. 6.

⁶⁹ One report, for instance, concerns the turkey population of the Choctaw Nation in *The Cherokee Advocate*, January 20, 1906, p. 1, col. 3.

⁷⁰ Barde, *Field, Forest, and Stream in Oklahoma*, p. 154.

⁷¹ Sutton, *Oklahoma Birds*, p. 146.

⁷² *Ibid.*, p. 145.

CLEMENT VANN ROGERS

1839-1911

BY PAULA McSPADDEN LOVE*

One of the leading citizens of the Verdigris Valley was Clement Vann Rogers, better known to his friends as "C. V." He was a successful rancher, farmer, stockman, politician and benefactor.

In 1882 while serving his third term in the Cherokee Senate, he was named on the Board of Directors at Worcester Academy (Congregational) in Vinita. Education was of vital importance to the Rogers' family and with the opening of this mission school, it proved a happy solution for three of the Rogers children; Robert 16, Maud 14 and May of 10 years were enrolled in the first term. The oldest daughter, Sallie, graduated from the Cherokee Seminary in 1880.

Vinita was a thriving community which was then a part of Cooweescoowee District and the center of the stock industry.¹ In addition to the cultural and educational atmosphere, there were two railroads which were a great asset to business and travel. Since Clem was associated with cattlemen J. O. Hall and W. E. Halsell and other Cherokee leaders there, Vinita became a base for his numerous operations at this time.

Clem Rogers came from a stalwart and well-fixed family but from earliest childhood he showed an independent spirit and the urge to do things for himself. His parents, Robert Rogers and Sallie Vann came from Georgia before the main removal of the Cherokees in 1838. Clem's only sister, Margaret was very young when they came or was born soon after. Robert Rogers built a five-room log house near the Arkansas line, with a pleasant view of the Ozark Mountains, on the outskirts of the present town of Westville. It was here on January 11, 1839, that Clement Vann Rogers was born in the Going Snake District of the Cherokee Nation.

*Paula McSpadden Love has written this biography of her grandfather, Clem Vann Rogers, as a contribution to the history of Worcester Academy (Vinita), a historical project undertaken by the Lt. Col. Walter Chiles Chapter, Daughters of the American Colonists in Oklahoma. Mrs. Love has served many years as the curator of the Will Rogers Memorial, a beautiful building and museum at Claremore, Oklahoma.

¹ Cooweescoowee District comprised the northwestern part of the Cherokee Nation. There were some big ranches out on the Caney and Verdigris Rivers.

Before the lad was two years old his father died leaving his only son to carry on the name of Rogers and with the admonition to his mother: "See that Clem always rides his own horse."² His mother later married William Musgrove, a successful farmer and wagon-maker. They had two sons, Francis Marion and William Due.

Clem and Margaret both attended the Baptist Mission about a mile from their home and later were students at the Male and Female Seminaries at Park Hill. Margaret was a very serious student and graduated with the second class at the Seminary in 1856. Elizabeth Alabama Schrimsher was also a member of this class.

Clem had little love for school and soon gave it up to work as a cowboy for Joel M. Bryan, near present Choteau. It was here he became hardened to the rough life on the range. With this experience, he was able to make his own way, and in 1856 came to the newly formed Cooweescoowee District where he settled on a branch of the Caney River. His ability as a trader was working out in good profits; he had crops, cattle, horses, and two negro slaves. By 1858, he was well established and returned to Ft. Gibson to claim his bride, the youngest daughter of Elizabeth Gunter and Martin Matthew Schrimsher, Mary America. She was endowed with the rare gift of love, laughter and home-making, so, it was evident that the four children of the eight born to the Rogers became noteworthy citizens. Their only son who grew to maturity was known throughout the world as *Will Rogers*.

Mary and Clem had dreams of a nice, comfortable home for their family but the War Between the States reached the Cherokee Nation. The people had been bitterly divided over the Removal question and now were generally aligned in their sympathies in the same way: those for Removal in the South, those against Removal with the North. This cleavage was a heartbreaking factor among the Cherokees. Clem joined the Cherokee Mounted Troops under the daring and colorful Confederate leader, Stand Watie, while Mary went with her people as refugees to Bonham, Texas for the duration of the War.

Clem admired Stand Waite, his fearless courage and his intrepid raids on the enemy. Clem became associated with the brilliant Cherokee leader, William Penn Adair, who undoubtedly

² This story used so often by writers came from Clem's sister, Margaret, known to all the relatives as "Aunt Peggy."



CLEMENT VANN ROGERS

had an influence on his life and was partially responsible for his keen interest in politics in the years to follow. During this time the Cherokee Confederates held their own council, usually in secret meetings, and Clem served as a member of the Senate during the years 1862-1863.³

Like many others in the Cherokee Nation, Captain Clem Rogers returned from the war to find his place in ruins and nothing left to continue his farming and ranching. The devastation in the Cherokee Nation was as great as in any of the southern states.⁴ Clem settled his family near Ft. Gibson and began working for Oliver Wack Lipe hauling freight from Kansas City to Sedalia and from there to Ft. Gibson.⁵ The work was hard and perilous over the rough almost unknown trails, driving a six-mule freight wagon, but Clem was fearless and no task was too difficult for him. He was also ambitious and realized that only through hard work could he establish himself once again.

It was more than four years before Clem had saved enough money to invest in cattle in the Choctaw Nation and return with them to the Cooweescoowee District. This time he did not go to his former place but continued more than six miles north where he chose a more imposing location for his future home. A new start in a new country gave him a feeling of again being on his own and he set out immediately to build the kind of a place that he and Mary had planned before the War.

Clem was a man of vision and saw the possibilities of the virgin land. There was only a log cabin on the site but he put a man to work at once cutting and hewing logs for the improvements. It was an ideal location for a home which was reached by a winding road that led to the valley. The house seemed to rise from a hill at the back and provided a perfect setting with blackjack, elm and native cedar trees to enhance the beauty. From the front was a sweeping view of the wooded slope near the ever-changing and often dangerous Verdigris River and endless acres of bluestem grass which grew so abundantly in the rich valley.

About 1870 he brought his family to the new home which had

³ Emmet Starr, *History of the Cherokee Indians*, p. 301.

⁴ Noel Kaho, *The Will Rogers Country*, p. 21.

⁵ "Uncle Lipe" as the Rogers children called him, was a wealthy merchant from the East and the husband of Catherine Gunter, the maternal aunt of Mary Rogers.

undergone a great change though it was not complete in all its future splendor until 1875. His family consisted of Sallie Clementine, Robert Martin and Baby Maud who took her first step in the new home. There were many ranch hands, cowboys and household helpers who had a part in building "The Rogers Place."

In a few years several well-known families had come out to the Verdigris Valley that held such promise for stock raising. Across the river and in sight of the Blue Mounds, Charles M. McClellan and his sister's family, the Stephen Taylor Foremans, had built beautiful homes. Dr. A. J. Lane came a little later with his family and established a well-stocked place for his boys. Frank Musgrove, Clem's half-brother, was another who engaged in farming and ranching on a large scale. Near Oowala, Dewitt Clinton Lipe, Clem's business partner and kinsman, put in a store and was the first postmaster in the area where mail was received two times a week. These people were inter-related by blood and deep friendship played a major role in the Rogers family from that day on to the members of the present generation.

"Clem Rogers was in the city this week in attendance at the stock meeting," reported the Vinita paper.⁶ The Livestock Association of the Cherokee Nation held its meetings to make arrangements for the annual spring roundup. In 1891 Clem was President of the Association.⁷ George C. Clark of Vinita was the Chairman of this meeting and the proceedings were recorded by him. "C. V. Rogers, member of the Senate, and W. C. Rogers,⁸ member of the Council, have been in Vinita for a few days. They will be on hand at the next council, ready to express their views and vote squarely upon all questions of public interest that may come before them," observed the Chieftain in speaking of the politicians.⁹

Clem's political activities began in 1877 when he ran successfully for Judge of Cooweescoowee District and although he was not educated in law he was aware of the basic rules. He was fair and just, and held the confidence of the people. He was Sen-

⁶ *Indian Chieftain*, Feb. 9, 1883.

⁷ *Indian Chieftain*, Apr. 30, 1891.

⁸ W. C. Rogers was no kin to C. V. Rogers. "He served as Chief 1903-1906 and continued in office until 1917".—Muriel H. Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 73.

⁹ *Indian Chieftain*, Oct. 19, 1883.

ator from his district five terms for the following years: 1879, 1881, 1883, 1899, and 1903.¹⁰

Clem served his people faithfully in politics and understood them perhaps better than any other public servant. While he did not speak the Cherokee language he understood it, as his mother was quite fluent in the Cherokee tongue and used it a great deal. Clem was outspoken and unlike the politician of today stated where he stood on any issue. This is clearly demonstrated by the letter he wrote to Chief Bushyhead who was his brother-in-law which says in part:¹¹

. . . We are powerless to enforce our laws. Are we to submit to such great rongs (sic) by white men not citizens . . . Dennis Bushyhead there is not a single law in this country enforced. Men are hauling cattle in this country in open violation of law, and the sheriff and solicitor both know it, white men are putting up hay all along the lines in the Nation, and a few days ago the sheriff went up and collected a tax on the hay. Where is the law authorizing such act. Timber, plank, and logs are conveyed across the line all the while to which the sheriff and solicitor well know. How in the world can we hold up as a nation when our officers don't respect the law, as the oath they have taken . . . we are *fast fast* drifting into the hands of white men . . . give my respects to your wife, my wife is sick.

From your personal friend, but not political,

C. V. Rogers

The Indian Chieftain of Vinita, July 27, 1893, gave the following news of Clem's appointment: "Hon. C. V. Rogers of the Commission appointed to appraise improvements, came up from Tahlequah, Tuesday evening."

Clem Rogers was appointed by Chief C. J. Harris to serve with Joshua Hutchins of Georgia and P. H. Pernot of Indiana (appointed by President Grover Cleveland) to appraise the improvements made by the people who had encroached on Indian land, erected dwellings, planted crops, cut the trees, and used the hay for their own purposes. Clem had introduced a bill in the Cherokee Senate to keep these "intruders" out of the Territory but it did not pass. Then the U. S. Government passed legislation to pay these people for their improvements before the land could be reclaimed by the Indians, the rightful owners. Traveling all over the country with the attorney for the Cherokees, William P. Thompson, of Vinita, Clem set about this distasteful task. They rode horseback, sometimes drove by buggy or took the

¹⁰ Emmett Starr: *History of the Cherokee Indian*, pp. 272-273.

¹¹ C. V. Rogers to Chief Bushyhead; Aug. 11, 1883, Frank Phillips Collection, University of Oklahoma. Dennis Wolfe Bushyhead married Elizabeth Alabama Schrimsher Adair, Mary Rogers' older sister.

train to interview and appraise the property of almost 3,000 heads of families when they could find them. The work was not completed for two years. Even today the "Intruder Question" still arises in northeastern Oklahoma as revealed by a letter from Dallas, Texas, to Earl Boyd Pierce, Counsel for the Cherokees, who replied in his diplomatic manner: "History tells us that no problem vexed the Cherokees more than this. In fact, the overwhelming number of people who came into this country by invitation or otherwise, brought about the speedy dissolution of the tribal government and the advent of statehood."¹²

W. W. Hastings of Tahlequah, one of the Nation's most brilliant lawyers, was in Washington, D. C. at this time and Clem wrote to him regarding the plight of the Cherokee people:

Feb. 16, 1893

Sir and Friend:

Your letter received several days ago and am under many obligations to you for keeping me posted on matters pertaining to our affairs in Washington.

I am a little surprised at the action of the convention of citizens of Tahlequah District in sending additional legislation to Washington. Every other district have the same right as Tahlequah. All unnecessary and uncalled for by the people.

Boudinot¹³ had some *pet scheme* in work up at the city. Old Judge Walker made a *dam fool* construction of the late Permit Law.

Under his construction President of the Senate Buffington,¹⁴ Senator Call Starr and "himself Walker" can't get a permit. I am surprised at our Chief¹⁵ selecting a *white man* who has interest in our *lands and money* to construe our law. His whole construction is on the side of the white man against the Nation. Tell *Gid* I am surprised at him joining the Watts Association and am for the Cherokees *first, last* and the way through against those dam fraudulent claimants.

Write often, your friend,

C. V. Rogers

N. B. If it is not too much trouble to you I wish you would send me a lot of garden seed from the Department of Agriculture, and oblige.

C. V. Rogers¹⁶

¹² June 7, 1970: *Muskogee Phoenix & Times Democrat* (article by Phil Harris).

¹³ Elias C. Boudinot, a Cherokee lawyer assisted by F. C. Sears, attorney for Missouri, Kansas and Texas Railroad advertised that they had found millions of acres in Western Indian Territory (later organized as Oklahoma Territory) that were public property of the U. S. and therefore subject to settlement by homesteaders. These were known as "Unassigned Lands." E. E. Dale, *Oklahoma—The Story of a State*, pp. 223-224.

¹⁴ Thomas Mitchell Buffington (Vinita) served as Principal Chief of the Cherokees 1899-1903.

¹⁵ C. J. Harris, Principal Chief at the time this letter was written 1891-1895.

With all his political involvement Clem Rogers was one of the most successful farmers and stockmen in the Verdigris Valley. He was the first to introduce wheat on a large scale and in 1895 raised 13,000 bushels of wheat on his property. He owned the first push binder in this part of the country and also built the first barbed wire fence.¹⁷ He saw the wisdom of rotating his crops for year-round feeding and in addition grew a variety of fruit trees which supplied more delicacies for his own family and friends.

In 1890 he was President of the Vinita Fair Board and served for several years on the Board of Directors. In 1894 he was an honorary member of the Board of Trustees of "Willie Halsell College" in Vinita where his son "Willie" went to school, along with several other young people from the Verdigris area. It was this same year that some of the businessmen of Vinita decided with the growing population in Claremore it was time to charter a bank in the new town and Clem Rogers became Vice President of the First National Bank of Claremore, a position he held until his death in 1911. The officers were the following: James O. Hall, Vinita, President; Charles F. Godbey, Claremore, Cashier; Len Comer, Claremore, Assistant Cashier. The Board of Directors were: W. E. Halsell; C. V. Rogers; Dr. Oliver Bagbey; E. L. Hall; W.C. Patten from Vinita and John Dirickson, W.A. Graham, and James M. Taylor from Claremore.¹⁸

The Indian Chieftain (Vinita) was very pro-Rogers, and on July 25, 1895, gave this piece of news:

Clem Rogers is authority for the statement that all citizenship attorneys in this Nation, including Hoolie Bell, are National men and are trying to defeat Sam Mayes and elect Bob Ross. And it may be added that if there is a man in the Cherokee Nation qualified to speak advisedly on this subject it is C. V. Rogers. As a member of the appraisement commission that has just concluded appraising intruder places in the Nation, he had ample opportunity to know. It was the duty of this commission to question each intruder as to how they came to be in the country, and nearly invariably the cause was traced to some citizenship lawyer whose name was given freely by the claimant. In this matter Clem Rogers holds a full hand and is not afraid of being called.

The greatest problem facing the Cherokees was giving up their land held in common and dividing it in 160 acre tracts to each member of the tribe. There was great pressure from the

¹⁶ C. V. Rogers File. Box 7 (The Will Rogers Memorial).

¹⁷ Ellsworth Collings: *C. V. The Old Home Ranch*, pp. 96-97.

¹⁸ *Claremore Progress*, December 22, 1894.

“Boomers” to settle in the Territory and the Government eager to see the end of the tribal lands distributed set to work at once to bring this about. The Dawes Commission was created by the Government to deal with the Indians on this issue.

The Indian Chieftain (August 27, 1896) gave wholehearted approval to the selection: “Chief Mayes has certainly exercised good judgment in his selection of a Commission to confer with the Dawes Commission. Ex-Gov. Bushyhead, Clem Rogers and Robert B. Ross are representative men. The attorneys to represent the Nation before the Dawes Commission are W. W. Hastings, Frank Boudinot, and Hutchings & English.”

These men had the responsibility of making up the tribal rolls of the Cherokees which was to prepare for the allotment of land and eventually statehood. There was much dissension over this matter as the full-blood Cherokees and many others were not willing to relinquish their tribal government and would not accept any of the agreements from the U. S. Government by the Dawes Commission.

Clem Rogers was a far-seeing man and realized with the sale of the Cherokee Strip in 1893 and later the passage of the Curtis Act in 1898, the dissolution of the Cherokees as an independent government was inevitable. Also with the coming of the railroads which meant the end of the vast lands so many of the cattlemen controlled, he knew it was futile to continue as they had in the past. In fact the railroad cut his huge range in two. Despite the facts which were evident to all, he set about working for the land to be allotted. He perhaps had more influence in bringing this about than any one individual. This very difficult task was not completed until 1906 when the Cherokee rolls were finally closed.

It was a few years later that Clem transferred his loyalties to Claremore becoming one of its greatest boosters. He married Mary Bibbes in January 1893, who had been his housekeeper and they moved to Claremore in August 1898 to make their home at 6th and Muskogee streets. “C. V. Rogers will today have the new gas Ecytelenne placed in his residence. A Ft. Smith firm will do the work,” the *Claremore Progress* reported August 27, 1899. Clem was one to keep up with progress in every way.

Mr. Rogers owned a great deal of property in Claremore including a livery stable where he always kept a high stepping buggy horse to drive around Claremore and visit “the old home place” which he had rented. He kept a watchful eye on it hoping

that "Willie"—the pride of his life—would return to take over the management of it.

With the death of his second wife, he moved to furnished rooms over the bank and devoted more time to his daughters Sallie McSpadden and Maud Lane in Chelsea where he spent each week-end with them. He was adored by all his grandchildren and the many relatives and friends in Claremore who looked to "Uncle Clem" to get them out of a bad business deal or give financial assistance. Generosity was an inborn trait in the Rogers family.

All of his life he was interested in education and identified with the schools in the area. In 1899, he was elected President of the Claremore School Board. His fondness for children led him to give some property on 5th and Weenonah Streets for a children's playground with the provision that it would remain always for that purpose. Today the Claremore High School Gymnasium sprawls on most of the lot pushing the numerous school cars into the streets thus completely blocking traffic from all sides.

Perhaps his crowning achievement, or the one that he prized the most, was serving with the 55-man delegation from Indian Territory in the Constitutional Convention that met with the Oklahoma Territory delegation in Guthrie in 1906, to write the laws for the new state of Oklahoma. That part of his beloved Cooweescoowee District where he lived was re-named "Rogers County" in his honor. So great was the rejoicing in Claremore over this event that when Dr. Denney met him on the street to congratulate him, he slapped him on the back with such gusto that two ribs were broken and Clem was forced to go to Chelsea to the "girls" to recuperate from this injury.¹⁹ He recovered soon after and the last of February took daughters Sallie McSpadden, Maud Lane and her husband "Cap" to Washington, D. C. to visit "Willie" who was playing in vaudeville there.²⁰

Clem Vann Rogers had an interesting and eventful life. In his last years he was to enjoy the benefits of his early struggle in building a vast empire of business interests that was practically self-sustaining. He had come to the Verdigris Valley in 1856 at the age of seventeen and through hard work and intelligence had

¹⁹ *Vinita Leader* Microfilm, January 3, 1907.

²⁰ Rogers' Correspondence. Postal card to Betty Blake, Rogers, Arkansas. February 28, 1907—Will Rogers Memorial files.

brought the wilderness under his well-planned cultivation to productivity. He spent 55 of his 72 years in the county that bears his name. Forty-four years of his life, he devoted to politics (1863-1907) winning every office he ran for except that of Treasurer of the Cherokee Nation and this election was lost by only one vote. He helped enact some of the most important laws in the Cherokee Nation and took part in the gradual and crucial transformation from territorial government to statehood. He withstood the ravages of war and rose again to rebuild his fortune. He accepted sorrow with characteristic courage in the loss of his oldest son, his beloved Mary America and three infants, and set about to be a part and contribute something to the communities in which he lived.

Writers of today searching in the background of noted Will Rogers and the elements of greatness in him, often overlook the fact that he was the son of a famous father—Clem Vann Rogers—who was one of the most dynamic leaders of his time.

DELEGATES TO THE CONSTITUTIONAL CONVENTION

*By Blue Clark**

The Enabling Act, passed by Congress and approved by President Theodore Roosevelt June 16, 1906, provided procedures by which Oklahoma Territory and Indian Territory could combine to form a state. It stipulated that a constitutional convention should convene at Guthrie to prepare a state constitution. The act required a total of one hundred and twelve delegates to the convention, fifty-five from each of the territories and two from the Osage Reserve. Eligibility to serve as a delegate was the same as that required of voters in their selection, namely, a male citizen of the United States or of one of the Indian tribes, twenty-one years of age and resident of the area at least six months before the election.

The Enabling Act directed the governor, chief justice, and secretary of Oklahoma Territory to designate fifty-six voting districts, fifty-five as nearly equal as possible in voting strength in Oklahoma Territory and one district, the Osage Reserve, for the selection of two at-large delegates. It also required two of the federal judges serving in Indian Territory and the commissioner to the Five Civilized Tribes to designate fifty-five districts, each proportional in population.

On August 6, 1906, Governor Frank Frantz of Oklahoma Territory and W. H. H. Clayton, the senior federal judge in Indian Territory, issued a joint election proclamation. This set the election date, November 6, and described each district, except the Osage Reserve, by townships and boundaries. Three judges, no more than two from the same political party, were required at each election precinct to supervise the election, canvas and report the returns.¹

*Blue Clark prepared this paper on the "Delegates to the Constitutional Convention" in his graduate study at the University of Oklahoma.

¹ "Oklahoma Returns," certified by county commissioners and the county clerk; certified by Charles H. Filson, Secretary of Oklahoma, and C. W. Rambo, Treasurer; and "Osage Nation", certified by Frank Frantz, Governor, W. O. Cromwell, Attorney General, C. W. Rambo, Treasurer, and Charles H. Filson, Secretary; "Indian Territory Certification on Abstracts of Votes Cast for Constitutional Convention", certified by (federal judges) Joseph A. Gill and William H. H. Clayton. These official volumes are housed in the Archives of the State Library, State Capitol, Oklahoma City. See *Appendix I* for the election results, by political party or other designated affiliate, given at the end of this article.

Three hundred and five candidates sought the one hundred and twelve positions in the November election. Among the unsuccessful candidates were men prominent in their districts and the territories: Charles W. Raymond, a recent federal judge in Indian Territory; Thomas W. Finney, with several years' experience as Indian trader to the Kaws, Poncas, and Pawnees; Joe A. Bartles, a grandson of the last chief of the Delaware tribe, Charles Journeycake; and Dr. Jesse C. Bushyhead, well-known physician and son of the late Dennis W. Bushyhead, a former chief of the Cherokees. Also, Eugene B. Lawson, civic worker who had been an active advocate for single statehood; A. E. Perry, long a power in Republican politics in Indian Territory but a confidant of William H. Murray; Noah G. Turk, who was to be the Republican nominee for the office of lieutenant governor in the first statewide election; J. B. A. Robertson, destined to be the fourth governor of Oklahoma; Martin V. Cheadle, Tandy C. Walker, and Walter Colbert, prominent members of the Choctaw-Chickasaw tribes.

Contesting for fifty-five seats, the Socialist Party held pockets of strength among coal miners and tenant farmers in Indian Territory. But the party was more formidable in the drouth, wind, and grasshopper country of western Oklahoma Territory, a region of 160-acre homesteads where interest rates of ten percent per month were not uncommon and "bulky farm products, hauled to market over almost impossible roads commanded a price far below market prices announced in the Kansas City, Wichita, Dallas newspapers."² Although the party was unsuccessful in winning a seat to the convention, the Socialist candidate G. K. Patterson polled 724 votes to the 744 cast for F. E. Herring in District 46, and in Districts 20, 21, and 71 the Socialists took sufficient votes from the Democrats to bring about Republican victories.

A simple majority decided each district contest in the November 6 election. Ninety-five of the one hundred and twelve delegates won seats by polling more than one-half the votes cast in their districts. In District 20, J. E. Sater, Stillwater, defeated P. H. Sullivan, Maramec, by one vote; the winner is credited with being the only Republican elected to the convention who ran on a strict prohibition platform. Noah G. Turk, Checotah, lost to H. G. Turner, Brush Hill, by four votes. Tom C. Harrill, Democratic candidate from Okay in District 71, was defeated by his Republican opponent, James A. Harris of Wagoner, by eight votes in one

² Oscar Ameringer, *If You Don't Weaken*, (New York, Henry Holt & Company, 1940), p. 261.

of the few contests in Indian Territory where Negro voters participated. Harrill appealed the election result to the convention but the Democratic-controlled body, in one of its conciliatory moves, approved the seating of Harris.

Three of the candidates representing Oklahoma Territory at the convention listed Indian Territory addresses. These were Henry H. Kelly, Minco, and G. M. Tucker, Comanche, successful winners of seats, and G. S. Brown, Marlow, a defeated candidate. J. Turner Edmondson, Maysville, Arkansas, won the right to represent District 66 of Indian Territory. Obviously, each of these candidates resided within but near the boundary of his election district.

An unlikely incident occurred in District 86 near the close of the campaign. J. W. Hocker of Purcell, Republican candidate, was returning by buggy to his home from an evening talk at Byars when he was fired upon with shotgun pellets. Fortunately Hocker was not injured. Democrats posted an award in the amount of one hundred dollars for information on the assailant.³

The place of birth of successful candidates, by state or Indian Territory in the United States, or foreign country, and the designated political affiliation which appeared on the November ballots are indicated in the table given in Appendix II at the end of this article.

Civic leaders in Muskogee, which was divided to accommodate two election districts, were hopeful that Charles N. Haskell would be the successful nominee in one of the districts. He consented to run as the sole candidate on a "Greater Muskogee Ticket" and, although he was opposed by a Republican candidate and an Independent candidate, he piled up a greater margin of victory than he might otherwise have obtained had he run as a Democrat. There was never any question regarding his affiliation with the Democratic party.

Muskogee civic leaders likewise persuaded Phillip B. Hopkins, lifelong Republican, to run as an Independent candidate in the other district which cut across the city's boundaries. Democratic members were in accord and no member of their party announced his candidacy for the position. The agreement for the candidacy of Hopkins was made after a local meeting of Republicans had selected Charles W. Raymond, recently retired from

³ *Weekly Oklahoma State Capital* (Guthrie), November 3, 1906.

the federal bench, to be that party's candidate. Hopkins was the victor in the two-man race.

Frank J. Stowe, minister and president of Wynnewood's Indianola College, won as an Independent in District 95 although by party affiliation he was a Democrat. Interested citizens of the community persuaded him to run for the office of delegate after a Democratic nominee was selected. His opponent in the election, H. S. Blair, was a good friend and neither actively campaigned for the office.

Active in Farmers' Union meetings in the territories, A. L. Hausam of Coweta ran as a candidate of the Farmers' Party in District 70 and drew only one opponent, a Republican. Forty-six members of the Farmers' Union were delegates to the constitutional convention and Hausam was selected by them to furnish leadership in mustering votes on provisions pertaining to land, agriculture, and other rural problems. He was an active and life-long Democrat.

When the official vote of the November 6 election is analyzed, credence can be given to a statement made many times by Charles N. Haskell during his successful campaign the following spring for the Democratic gubernatorial nomination: "You will remember you sent 99 Democrats to Guthrie and 13 witnesses to watch them."⁴

One hundred and one native-born citizens of twenty of the forty-five states became delegates to the convention with nine born in Indian Territory, one in England and one in Scotland. Sixty-three of the members were born east of the Mississippi River while forty-nine came from the western side. Thirty-seven originated from what had been recognized before the Civil War as non-slave states, if West Virginia and Kansas are placed in this category, or from a foreign country. The remaining seventy-five delegates were born in states or Indian Territory where slavery had existed and there remained a strong bias for segregation from the Negro population. One delegate was a graduate of the Uni-

⁴ *New State Tribune* (Muskogee), May 16, 1907. This issue contains a complete copy of Haskell's campaign speech, made earlier in the week at Hugo.

versity of Oklahoma, Norman; another, of the Agriculture and Mechanical College, Stillwater.⁵

Texas was the birthplace of sixteen of the delegates and James Stephen Hogg, that state's governor at the turn of the century, was their idol. As attorney general, Hogg successfully broke up a railroad pool, forcing the railroads to surrender great tracts of public lands. Later as governor he secured vigorous reforms and a sound anti-trust law. Texas-born delegates included Allen of Duncan, Akers of Woodford, Chambers of Atoka, Graham of Marietta, Hayes of Chickasha, Herring of Elk City, Jones of Ryan, Lasater of Pauls Valley, Ledbetter of Ardmore, Liedtke of Eufaula, Murray of Tishomingo, Roberts of Olustee, Savage of McKnight, Turner of Brush Hill, Weaver of Ada, and Wyly of Tahlequah.

Practicing attorneys in the group included J. H. Chambers, Clint Graham, Sam Hayes, Cham Jones, Walter Ledbetter, and W. C. Liedtke. All were residents of Indian Territory and, with the exceptions of W. C. Liedtke and Sam Hayes, had been practicing in the federal courts of the territory since the early 1890's. Clint Graham was the first city attorney of Ardmore when it became an incorporated town in 1898. After Marietta became a court town in 1904, he moved there. Sam Hayes taught as a young man at Ryan until he was accepted for law practice in 1902 and moved to Chickasha. Walter Ledbetter was the dean of the attorneys, having practiced at Gainesville, Texas from 1884 to 1889 when the first federal court was established in Indian Territory. A charter member of the Indian Territory Bar Association formed at Muskogee April 3, 1889, and one of the first lawyers admitted to practice before the court, he moved to Ardmore in 1890. W. C. Liedtke, born in 1882 and youngest member of the convention, established practice at Eufaula, Creek Nation, in 1902.

William H. (Bill) Murray, although he practiced law several years and in this capacity gained much experience in drawing up legal papers for the governor and legislature of the Chickasaws, had withdrawn from the profession to establish a reputation as a scientific farmer. Other farmer-stockmen included Hamner C.

⁵ The best contemporary source is the article "Nativity, Vocation and Political Views of the Constitution Makers" which appeared in the Sunday edition of *The Daily Oklahoman* (Oklahoma City), December 9, 1906. The article, excellent as it is, fails to credit Texas as the birthplace of R. J. Allen, and Indiana for James B. Tosh. John B. Harrison was born in Kentucky, not in Texas as the article indicates, and Charles H. Bower in Virginia rather than West Virginia.

Turner who started ranching near Checotah in 1879, and Miles Lasater who gave up a teaching career to enter ranching and farming in the Chickasaw Nation in 1898. J. J. Savage who, like Hayes and Lasater, was once a teacher, settled in Greer County where he held farming and banking interests as early as 1898.

Carlton Weaver, a newspaperman born in 1881, was the second youngest delegate to the convention. He and a brother founded the *Ada Evening News* in 1904 but he took time to attend the University of Oklahoma from which he was graduated in the spring of 1906.

Royal J. Allen, L. G. Akers, F. L. Herring, Luke Roberts, and A. S. Wyly were merchants. Allen could boast that his father was a member of the constitutional convention for the state of Texas and one of his grandfathers was a member of the constitutional convention for the Republic of Texas. F. E. Herring claimed to be the only Boomer elected, as he was ejected from the Unassigned Lands in 1887. Luke Roberts, before entering the mercantile business in 1901, taught in Texas and in Greer County for twelve years, the last two as superintendent of schools at Altus. Wyly was one of the six delegates who attended the Sequoyah convention the previous year.⁶

Illinois contributed Alderson of Pond Creek, Asp of Guthrie, Cain of Oktaha, Dalton of Broken Arrow, Harris of Wagoner, Henshaw of Madill, Hunt of Spring Creek Township near Oklahoma City, Moore of Enid, Stowe of Wynnewood, Tracy of Beaver, Williams of Stockholm, and Wills of Miami. Fred Tracy had lived since 1885 in the Public Land Strip, designated Beaver County by the Organic Act of 1890 and Jim Harris had been a resident of Indian Territory since 1887.

Henry Asp was the recognized leader of the small Republican minority at the convention which included W. A. Cain and Jim Harris. Henry Asp, George Henshaw, and Charles Moore were attorneys. The latter had practiced at Enid since shortly after the opening to settlement of the Cherokee Outlet in 1893. George Henshaw began a notable career at Madill, Chickasaw Nation in 1900, and Henry Asp was a leader of the bar at Guthrie, capital of Oklahoma Territory.

⁶ The six members of the constitutional convention who had been delegates or alternate delegates to the Sequoyah convention in 1905 were Charles N. Haskell, Miles Lasater, C. C. Mathies, William H. Murray, Boone Williams, and A. S. Wyly. See Amos Maxwell, "The Sequoyah Convention" in *The Chronicles of Oklahoma*, XXVIII, 189-193 (Summer, 1950).

W. T. Dalton came to Stillwater as a merchant in 1892, opened the first bank in Coweta in 1903, and was operating a gin, coal, and mill company at Broken Arrow when elected a delegate. W. A. Cain, a farmer, had been postmaster at Oktaha since 1900. Other farmer-stockmen of this grouping were Jim Harris, J. A. Alderson, W. T. S. Hunt, and Fred Tracy. Frank J. Stowe was a teacher and preacher, while Edward R. Williams was a preacher who earlier had won a homestead near Blackwell when the Cherokee Outlet opened for white settlement Don P. Wills was a farmer with business interests in Miami.

Missouri was represented by Board of Okmulgee, Covey of Fargo, Helton of Marshall, Hughes of Oklahoma City, Jenkins of Guthrie, Kelly of Minco, Langley of Pryor, Leeper of Sulphur, McClain of Purcell, Newell of Yale, Norton of Piedmont, and Ramsey of Tecumseh. Two of the twelve, W. D. Jenkins and H. P. Covey, were Republicans.

W. C. Hughes and J. Howard Langley were attorneys. Hughes came to Oklahoma City in 1901 and had the strong backing of its civic leaders for the presidency of the convention. He later reported he felt he would have had a better chance to win the honor had he not been afflicted with laryngitis two days before the Democratic caucus. His father was a member of the Missouri constitutional convention of 1875. J. Howard Langley came to Indian Territory in 1891 and had been practicing law at Pryor since 1897.

C. S. Leeper and Charles McClain were merchants. Leeper managed a lumber yard at Sulphur, one of a string of yards operated by the Leeper brothers in the two territories. McClain, born in 1840, was the second oldest delegate and a veteran of the Civil War. He had been in the mercantile business in Purcell since 1885.

Charles W. Board, H. P. Covey, William D. Jenkins, Henry Kelly, Jacob Norton, and Silas M. Ramsey were farmers. Kelly had served two terms as a county superintendent of schools in Iowa, then taught from 1896 to 1898 at Union City in Oklahoma Territory. He secured a claim in Caddo County as a result of the land lottery of 1901. Silas M. Ramsey was equally fortunate in the run of 1891 at the opening of the Pottawatomie country. He also served as register of deeds for Pottawatomie County from January 1, 1897 to January 1, 1901.

W. L. Helton was a banker at Marshall. Dr. E. G. Newell

practiced medicine at Jennings from 1895 to 1902 when he moved to Yale to participate in the platting and ownership of the townsite. He served as the town's first mayor and helped organize the first bank in that town.

All the delegates born in Indian Territory were of Indian lineage: Brewer of Webber Falls, Cloud of Wellston, Copeland of Fairland, Frye of Sallisaw, Harrison of Calvin, Parker of Bokchito Academy), Rogers of Claremore, Edmondson of Maysville, Arkansas, and McClure of Eagletown (Lukfata). H. L. Cloud, C. O. Frye, and P. J. McClure were members of the Republican party.

Henry L. Cloud was a teacher and licensed Methodist preacher. Gabe E. Parker was principal of Armstrong Academy in the Choctaw Nation as well as an official in the Indian Territory Teachers Association. At the convention he was appointed to the committee to design the state seal. The one adopted at his suggestion combined features of the Oklahoma Territorial design with one prepared for the proposed state of Sequoyah by A. Grant Evans, president of Henry Kendall College.

O. H. P. Brewer, J. Riley Copeland, J. Turner Edmondson, Charles O. Frye, Ben F. Harrison, Clement V. Rogers, and Freeman J. McClure were farmer-stockmen. Some of these had been active in tribal affairs. Brewer served in the Cherokee Senate, 1897-1902, and six years (1898-1904) as president of the Cherokee Board of Education. Copeland was a member of the Cherokee Senate and committee in 1892 that dealt with the United States government officials on disposition of the Outlet. He had been a member of the Indian police force of the Cherokee Nation in 1886 and later, to 1890, a collector of revenue. Charles O. Frye was clerk of the Sequoyah District, Cherokee Nation, in 1875, elected senator in 1887 and 1894 for two-year terms, and president of the board of education from 1885 to 1897. He served as mayor of Sallisaw shortly before the convention and was postmaster from 1897 to 1906. Freeman J. McClure served one term in the Choctaw Senate from Tobucksy County when he resided at North McAlister in the early 1880's, and the townsite of Broken Bow was laid out on his allotment. Clement V. Rogers, born in January, 1839, was the oldest member of the convention. A Confederate veteran, he had served with the Cherokee Mounted Regiment under William Penn Adair and Stand Watie. He was judge in Coowoscoosee District in 1878, served three terms in the senate from 1879 to 1885, then separate terms in 1898-99 and 1902-

1903. He was appointed one of a committee of five in 1895 which conducted drawn-out meetings with the Dawes Commission on the eventual dissolution of tribal government.

Nine of the delegates, all Democrats, were born in Kentucky: Berry of Pawnee, Bryant of Gotebo, Caudill of Hobart, Edley of Fletcher, Harned of Ringwood, Harrison of Sayre, Hogg of Grand, Mitch of Oklahoma City, and Wood of Cherokee. G. M. Berry, B. E. Bryan, W. J. Caudill, W. H. Edley, D. G. Harned, and David Hogg were farmer-stockmen. George M. Berry had first come into the territory in 1877 to serve as a clerk in his brother's store at the Pawnee Agency and later he became agency farmer engaged in teaching practical agriculture to the reservation Indians. He secured a claim in 1891 when the Sac and Fox Reservation was opened to settlement and had several business interests in Pawnee at the time of the convention. When the Pawnee County Bank was organized in 1894, he sold two town lots for the site of the bank and was one of the major stockholders in the institution. Bluford E. Bryant won a homestead in the opening of the Cheyenne-Arapaho Reservation. W. J. Caudill served a 4-year term in the Kentucky senate from 1883 to 1887; William H. Edley was court clerk in Warren County, Kentucky and at the time of the convention was very active in the Farmers' Union. David Hogg, a part time preacher, taught in his native state and served a term as county clerk before moving to Greer County, Texas in 1891. He was a county commissioner when the county was part of Texas, then moved to Day County where he was elected to the office of county treasurer. He served one term in the Oklahoma Territorial legislature from Day County.

George W. Wood was a minister of the Friends Church. John B. Harrison served as county judge in Wheeler County, Texas from 1891 to 1892 before moving to Oklahoma Territory the following year. He was county attorney of Roger Mills County, 1894-98, and a member of the territorial council, 1900-02. John L. Mitch, wounded at Chickamauga, was one of the eight delegates who served in the Civil War. He came to Oklahoma Territory from Colorado and took part in the run of 1889. He was cashier of the first bank organized in Edmond and served as a member of the first board of regents for the normal school located there. At the time of the convention he was in the insurance-abstract business and for five years had been register of deeds for Oklahoma County.

Mississippi was the birthplace of seven representatives of the

Democratic party. These were Cochran of Hartshorne, Lee of Hugo, Nelson of Tulsa, Pittman of Enid, Quarles of Fairfax, Tucker of Comanche, and Williams of Lehigh. Albert G. Cochran, crippled by typhoid fever when a child, spent most of his lifetime in Indian Territory. He taught rural schools and then in the mid-90's was employed as an accountant by the firm of Grady and Freeny at Hartshorne. B. F. Lee was a druggist at Hugo at the time he was elected to represent his district at the convention. Flowers Nelson had been practicing law at Tulsa since 1895. Charles H. Pittman was a Methodist minister in his native state, but after removal to Enid was engaged in the practice of law and dealt in real estate. J. J. Quarles had been a merchant at Hominy, Gray Horse, or Fairfax in the Osage Nation since 1892 and helped organize a bank at the latter place. Earlier he served as chief of police in Oxford, Mississippi. George M. Tucker was a farmer who came to the Chickasaw Nation in 1901. Boone Williams managed a coal mining company in West Virginia for three years before moving in 1893 to Lehigh in Indian Territory to become bookkeeper for the Phillips Mercantile Company. He joined others in organizing the bank of Lehigh, brought the first ice plant to the area, and developed coal properties.

The six members of the convention who were born in Tennessee were also Democrats: Buchanan of Norman, Carr of Frederick, Gardner of Stigler, McCance of Mutual, Maxey of Shawnee, and Wyatt of Wanette. James S. Buchanan was a career teacher and had been a professor of history at the University of Oklahoma since 1895 after spending the previous year as a member of the faculty of the normal school in Edmond. He served as assistant superintendent of public schools for the state of Tennessee from 1890 to 1893, and a brother, John P., was governor of that state from 1890 to 1898. John M. Carr came to Oklahoma Territory and secured a claim near Blackwell at the opening of the Cherokee Outlet. He entered the mercantile business at Braman in Kay County, then moved to Frederick in Comanche County in 1902 to engage in the hardware and implement business. He had just completed a second term as mayor of Frederick when selected to attend the convention. Neil B. Gardner of Stigler was also engaged in the mercantile business.

Edward O. McCance was the only graduate of the Agricultural and Mechanical College, Stillwater who was present as a delegate at the convention. He studied law at Woodward with the well-known attorney, Temple Houston, but decided on a news-

paper career and founded the *Mutual Enterprise* in 1904. Born in 1843, James H. Maxey was the third oldest member of the convention and a veteran of the Civil War. He had the distinction, too, of being the only delegate who had served previously in a constitutional convention, a session held for the state of Missouri in 1875 when he was a practicing attorney at West Plains. A fellow-delegate at the Missouri convention was the father of W. C. Hughes, prominent member of the Guthrie convention. Maxey moved to Oklahoma Territory in 1892, opened a bank at Tecumseh that year, and moved to Shawnee three years later to establish its first bank. He and associates promoted townsites between El Reno and Weatherford in 1897-98 as the Choctaw, Oklahoma, and Gulf Railroad built westward. He was well-known in Oklahoma Territory for his business interests and activity in Democratic party politics. T. Charles Wyatt was a farmer with an interesting earlier career in Tennessee. A graduate physician, he practiced medicine for several years in his home state and was elected to the Tennessee house of representatives in 1892 and to the state senate in 1894. He moved to Pottawatomie County, Oklahoma Territory in 1900.

Five of the delegates, all Democrats, were natives of Arkansas: W. E. Banks of Hess, W. S. Dearing of Thomas, E. F. Messenger of Holdenville, E. T. Sorrells of Milton, and J. I. Wood of Scipio. W. S. Dearing owned and operated a hardware and farm implement store at Independence, Custer County, after the opening of the Cheyenne-Arapaho lands. When the Kansas City, Mexico and Orient Railroad built through the nearby townsite of Thomas in 1903, he moved his business establishment to Thomas. He was licensed in 1896 as a Methodist preacher. E. T. Messenger developed a prosperous insurance-abstract business after 1900 at Holdenville, Creek Nation. J. I. Wood, Edwin T. Sorrells, and William E. Banks were engaged in farming and livestock operations. Sorrells settled in the Choctaw Nation in 1880 and Wood in 1893. As a young man William E. Banks spent the last two years of the Civil War in the Confederate army. He first came to Greer County in 1888, then took part in the run of 1889, obtaining a claim in Mustang Valley near Oklahoma City. He disposed of the claim and moved back to Greer County where he became a leader in the Hess community as a Baptist preacher.

Indiana was represented by Albert H. Ellis of Orlando, William F. Hendricks of Wakita, W. B. Hudson of Henryetta, Henry S. Johnston of Perry, and James B. Tosh of Hobart. Hudson was

an attorney, mayor of Henryetta, and active in civic affairs. Johnston, lawyer and former member of the territorial council and more recently county attorney of Noble County, presided over the Democratic caucus held before the opening of the convention and called the convention to order on its first day. James B. Tosh, William F. Hendricks, and Albert H. Ellis were farmers. Tosh won a claim in Kay County at the opening of the Cherokee Outlet in 1893. He moved to Kiowa County in 1901 and was active in support of the Farmers' Union. William F. Hendricks, also active in this movement in Woods County since the mid-90's, was a cousin of Thomas A. Hendricks, vice-president of the United States, 1885-89, during the first term of President Grover Cleveland. Albert H. Ellis obtained a claim near Hayward, Garfield County, in the run of 1893. A member of the territorial legislature in 1897, he served as second vice-president of the convention and presided over many sessions of the committee of the whole. Some years later he wrote a short, factual book, *A History of the Constitutional Convention of the State of Oklahoma*.

Four Democrats represented Alabama: J. K. Hill of Catoosa, C. C. Mathies⁷ of Monroe, Joel M. Sandlin of Prague, and Robert L. Williams of Durant. Jesse King Hill had been a cattleman in the Creek and Cherokee Nations since the early 1880's. C. C.

⁷ The names of three of the delegates to the convention are consistently misspelled in the *Proceedings of the Constitutional Convention*, published in Muskogee in 1908, and in the typed transcriptions of debates housed in the library, Oklahoma Historical Society. Hence, later compilations such as the *Directory and Manual of the State of Oklahoma* reflect spellings shown in the official proceedings. By letter of April 28, 1970, B. W. Mathies, Wister, confirmed his father's name was properly spelled Mathies, not Mathis as official records indicate. Justin W. Major, Fairview, wrote May 8, 1970 that his father spelled the name as he spells the surname, and not Majors as it appears in records of the convention. According to a note accompanying the necrology of Delegate Bower which appeared in *The Chronicles of Oklahoma*, IX, 488, his widow reported this the proper spelling, not Bowers as it appears in the *Proceedings*.

On August 12, 1970, Joann Younger of the office of the Secretary of State let this author examine signatures on the official copy of the constitution. Although some signatures are difficult to decipher, clearly there is no "s" on the signature of Bower or Major, and there are definitely the letters "i" and "e" in the signature of Mathies.

The spelling of the names of four other delegates has caused writers on the constitutional convention some difficulty. These are properly reported Wills and Wyly, Swarts and Sorrells. The latter definitely used two "i's" in his signature. Later, he was a state senator in the first four legislatures and the *Directory and Manual*, in its listings of senators, spells the name Sorrels. According to the necrology published in *The Chronicles of Oklahoma*, Vol. VII, pp. 38-49 his name is spelled Sorrells but his father and his children are listed under the name of Sorrells.

Mathies was generally greeted as Captain Mathies from his Civil War experiences. He settled in the Choctaw Nation in 1875 as a farmer-stockman and was one of those who attended the Sequoyah convention in 1905. Joel M. Sandlin, born in 1878, third youngest delegate and college graduate, came to Lincoln County in 1901 as a teacher, but was admitted to the bar and began the practice of law in 1904.

Robert L. (Bob) Williams, college graduate and attorney, came to Perry at the opening of the Cherokee Outlet, but returned to Alabama to study for the ministry. He gave up this pursuit and, in 1896, came to Atoka in the Choctaw Nation to practice law. A few months later he moved to the neighboring court town of Durant. He took advantage of his employment as a railroad attorney to strengthen the Democratic party in Indian Territory. His railroad pass helped in this endeavor and the fact that he was a bachelor permitted freedom for travel and absence from his home base. He learned that up and down the Missouri, Kansas and Texas Railroad and gathered around the courthouses and depots were Grand Army of the Republic veterans. He charged a nominal fee for the notarization of their meager pensions by Republican attorneys. Young Williams made trips with his notary seal in his pocket. He earned respect and a following by not charging fee to notarize documents. Before attending the Guthrie convention, he resigned as an attorney for the railroad.

G. N. Bilby of Alva, C. C. Fisher, Hinton; E. T. Heuston, Agra, and Thad D. Rice, Hitchcock were from Iowa, with Heuston the only Republican in the group. George N. Bilby, an 1894 graduate of the University of Louisville School of Medicine, established his practice at Cushing, later Stroud, before moving to Alva in 1899. Edmond Heuston, Thad Rice, and Charlie Fisher were farmers. Heuston, also a skilled carpenter, came to Lincoln County in 1893 about the same time that Thad Rice took up a claim in Blaine County. Fisher homesteaded in Blaine County in 1892 and, ten years later, moved to Caddo County.

J. E. Sater, a Republican from Stillwater, and the three Democrats—C. N. Haskell of Muskogee, David S. Rose of Blackwell, and Hymen O. Tener of Taloga—were born in Ohio. Mr. Sater was the first surveyor of Payne County. Haskell was a railroad builder and city developer with varied business interests. At the time of the convention he was also owner and publisher of the Muskogee *New State Tribune*. Dave Rose was an attorney and H. O. Tener was a farmer-stockman. Although C. N.

Haskell and William H. Murray were dominating forces at the convention Rose was among the most articulate during meetings of the committee of the whole. He settled in Blackwell in 1893 and was elected to the territorial legislature four years later.

New York also had four representatives: P. B. Hopkins of Muskogee, Matthew J. Kane of Kingfisher, John C. Major of Granton, and J. W. Swarts of Chelsea. Swarts, Kane, and Hopkins were attorneys; the latter, a Republican, was nominated by his party for the presidency of the convention. Matthew J. Kane gained prominence as an attorney and speaker during twelve years' practice in Kingfisher. J. W. Swarts had been in practice at Chelsea three years. He was the only veteran of the Spanish-American War elected to the convention. John Charles Major, farmer, secured a homestead in Woods County at the opening of the Cherokee Outlet and was active in community affairs, representing Woods County in the territorial legislature in 1903.

Three of the delegates, all Democrats, came from Kansas: Joseph F. King of Newkirk, T. J. Leahy, Pawhuska, and J. S. Latimer of Wilburton. Leahy and King were attorneys; Leahy was an inter-married citizen of the Osage Tribe and highly respected in its councils. Joseph F. King established practice in Newkirk in 1894. He was elected president pro tempore November 20, at the opening session of the delegates. J. S. Latimer, who taught several years and then worked in the 1890's as station agent for the Choctaw, Oklahoma and Gulf Railroad, was a former-rancher.

Georgia, North Carolina, and Virginia each had two representatives at the convention. Jesse A. Baker and Isaac B. Littleton were from Georgia. W. D. Humphrey and W. H. Kornegay were from North Carolina. Charles H. Bower and J. H. N. Cobb came from Virginia, the latter being the only Republican in the group.

While still a Georgia resident, Baker was admitted to the bar in 1876. He came to Guthrie shortly after the opening of the Unassigned Lands, moved to Lawton in 1902, and, two years later, to Wewoka. Isaac B. Littleton, greeted by his friends as "Uncle Ike", was the fourth oldest delegate, having been born in 1843. A Civil War veteran, he came to Indian Territory in 1886 and successfully filed on a claim when the Pottawatomie Reserve was opened to settlement in 1891. He was farming his homestead near Earlsboro at the time of the convention. W. H. Kornegay had

been practicing law at Vinita since 1891 and was a leader of the bar in the Creek and Cherokee Nations. W. D. Humphrey, attorney, had recently completed four successive terms as mayor of Nowata. Charles H. Bower, although a graduate lawyer, came to the Chickasaw Nation in 1891 to pursue farming and ranching operations and he was engaged in these at the time of the convention. J. H. N. Cobb was a Methodist minister.

Born in West Virginia, the El Reno delegate, John J. Carney, was an attorney. Wisconsin furnished James of Guymon; Pennsylvania gave Hausam of Coweta, and South Carolina contributed Littlejohn of Brushy. All were Democrats. Curl of Bartlesville also a Democrat, came from England, and Hanraty of McAlester, from Scotland. Taddy Owen James had a ranch in Beaver County, but in 1901 made the survey for the townsite of Guymon and later rendered part-time service as county surveyor. A. L. Hausam had extensive farm interests and worked for the improvement of farm conditions. W. N. Littlejohn, like Clem Rogers, Charles McClain, W. E. Banks, I. B. Littleton, C. C. Mathies, James H. Maxey, and John L. Mitch, was a veteran of the Civil War. He was a member of the escort of General Ben McCullouch when the general was killed at the Battle of Elkhorn Tavern in Arkansas. Littleton came to the Cherokee Nation shortly after the war and married into the prominent Adair family. As an inter-married citizen of the Cherokees, he was eligible for office, and in the 1870's was elected Clerk of Flint District and later Circuit Judge of the Goingsnake and Illinois Districts. Joseph J. Curl was born in Bristol, England but grew up in Cleveland, Ohio. He came to Bartlesville in 1903 because of his interest in oil development and banking. He built a street car system for Bartlesville as well as the interurban line to neighboring Dewey. Pete Hanraty started work in Pennsylvania coal mines as a boy and spent most of his life in this work. He came to the McAlester region in 1882 and from 1900 was district president of the United Mine Workers of America. Despite the fact he was the most powerful labor leader in the territories, and three other candidates ran on a labor ticket, he was elected as a Democrat and chosen vice-president of the convention.

The oldest member among the delegates was Clement V. Rogers of Claremore who was 68; the youngest was William C. Leidtke of Eufaula, 24. The average age was slightly less than 44 years. William H. Murray, the president, was 36, and Charles

N. Haskell was 46 at the time the convention session began November 20, 1906 in Guthrie.⁸

⁸ It is somewhat difficult to be certain of the profession or business engaged in by some of the delegates when elected to the convention. Probably the best contemporary source is the article "Nativity, Vocation and Political Views of the Constitution Makers" in the Sunday issue of the *Daily Oklahoman*, December 9, 1906. This listing does not include Delegates James A. Harris and J. W. Swarts. It lists Clement V. Rogers as a banker and lists only two preachers. Murray, much later, recalled that eight of the delegates were preachers. See *Memoirs of Governor Murray and True History of Oklahoma*, II., 31 (Meador Pub. Co., Boston, 1945). During Haskell's campaign for governor he spoke in Hugo with Delegate Lee on the platform. Three times in the course of the address, later published in the *New State Tribune*, May 16, 1907, he referred to Dr. Lee, who may have been an M.D. but, through local custom, a drug store owner or a pharmacist was often referred to as "Doc."

For background on political and business activity by members before the convention, I have depended primarily on obituaries which have appeared in various issues of *The Chronicles of Oklahoma*.

APPENDIX

DELEGATES TO THE CONVENTION

Birthplace and Political Party or Ticket Designation in November 6 Election

State, or Other	Number of Delegates	Democrat	Republican	Greater Muskogee Ticket	Independent	Farmers
Texas	16	16				
Illinois	12	8	3		1	
Missouri	12	10	2			
Indian Territory	9	6	3			
Kentucky	9	9				
Mississippi	7	7				
Arkansas	5	5				
Indiana	5	4	1			
Alabama	4	4				
Iowa	4	3	1			
Ohio	4	2	1	1		
New York	4	3			1	
Kansas	3	3				
Georgia	2	2				
North Carolina	2	2				
West Virginia	1	1				
Pennsylvania	1					1
South Carolina	1	1				
Virginia	2	1	1			
Wisconsin	1	1				
England	1	1				
Scotland	1	1				
Totals	112	96	12	1	2	1

APPENDIX I

DISTRICT CANDIDATES FOR CONSTITUTIONAL CONVENTION BY PARTY AND VOTE

Dist.	Democrat	Republican	Independent	Socialist	Other
1	T. O. James	672 Jay De Bruler	589 John Shields	98	
2	Fred C. Tracy	941 J. W. Savage	622	A. McArthur	104
3	Ed R. Williams	576 Thos. Siebert	554		
4	J. R. Dean	638 Homer P. Covey	655		
5	E. O. McCance	587 L. A. Foster	460	M. N. Wooley	80
6	Geo. N. Bilby	1046 W. H. Cofield	785		
7	John C. Major	1081 J. L. Hughey	854		
8	Geo. W. Wood	955 F. W. Edmonds	716	N. R. White	38
9	D. G. Harned	633 J. B. Coopridge	590 J. Armstrong	38	274
10	W. F. Hendricks	1355 J. P. Becker	992	L. A. Weld	53
11	C. H. Pittman	891 H. N. Horner	749	J. B. Frost	46
12	J. A. Alderson	1051 Grant Shoop	965	Jack McCutchen	24
13	Chas. L. Moore	607 D. W. Eastman	464	A. W. Renshaw	106
14	Albert H. Ellis	945 Abram S. Meek	805	J. S. Barclay	33
15	D. S. Rose	1213 F. V. Brock	1015	T. S. Smith	49
16	J. F. King	1262 F. P. Metzger	967 C. M. Burnett	349	53
17	H. S. Johnston	1221 A. H. Boles	907	M. C. Brown	188
18	Geo. M. Berry	1287 J. L. Morphis	1023	W. H. A. Williams	144
19	E. G. Newell	856 J. H. Wright	710 S. J. Hinkle	385	112
20	P. H. Sullivan	971 J. E. Sater	972	W. F. Belden	118
21	G. B. Rogers	726 E. T. Heuston	782	Alex. Evans	
22	J. M. Sandlin	914 E. N. Sweet	614	I. O. Jacobs	
23	J. B. A. Robertson	893 H. L. Cloud	958	T. J. Jones	84 (Prohibition)
24	W. L. Helton	847 A. B. Holliday	803		
25	O. T. Smith	198 Henry E. Asp	755	A. G. Copeland	39
26	J. C. Jamison	552 W. D. Jenkins	869 (Independent)		155

27	W. T. S. Hunt	1555	James Brown	1214	(Afro-Amer.)	6	J. C. Calhoun	50	
28	W. C. Hughes	1232	D. C. Lewis	947	Henry Throadway		A. Jacobson	60	(Non-Partisan)
29	John L. Mitch	1307	Hugh McCredie	846			C. B. Broylan	137	M. J. Stow
30	Silas M. Ramsey	815	J. H. Norton	700			C. E. Matteson	45	
31	James H. Maxey	556	W. S. Cade	301	W. B. Crossan	294			
32	I. B. Littleton	932	C. W. Miller	641	W. K. Anthony	42			
33	T. C. Wyatt	1115	C. C. Chapell	526			W. T. Pagett	55	(Non-Partisan)
34	J. S. Buchanan	1148					W. R. Roselius	145	H. H. Everette
35	J. K. Norton	1175	V. Kuchar	696					
36	John J. Carney	901	J. E. Johnston	697			G. T. Wilson	79	
37	Matthew J. Kane	1079	J. H. Parker	1024					
38	Thad D. Rice	970	K. J. Russon	919			J. T. Long	139	
39	C. C. Fisher	1064	H. C. Lacy	870					
40	Henry H. Kelly	942	M. E. Watson	839			E. L. Stevens	70	
41	C. H. Bower	839	B. F. Harriman	592					
42	Hymen O. Tener	880	W. R. Meyers	794			P. D. McKenzie	300	
43	David Hogg	878	Omar E. Null	765					
44	W. S. Dearing	1183	S. D. Gilbreath	779	James Nail	179	S. D. Porter	74	
45	J. B. Harrison	680	T. S. Wilson	334			Frank Winters	222	
46	F. E. Herring	744	R. L. Payne	449			G. K. Patterson	724	
47	B. E. Bryant	787	J. H. Anderson	540			F. Wheeler	182	
48	J. J. Savage	335							(Straight Demo.)
49	Luke Roberts	479							G. W. Briggs
50	W. J. Caudill	818	W. R. Bailey	402					17
51	W. E. Banks	1158	H. S. McCowan	538					
52	James B. Tosh	1009	E. M. Stringer	661			J. N. Jarvis	54	
53	W. H. Edley	1074	T. M. Jeffords	732					
54	John M. Carr	1016	R. O. Cull	467	J. A. Donnelly	139			
55	G. M. Tucker	964	G. S. Brown	571			De Mott Pugh	63	
56(a)	T. J. Leahy	1526	I. D. Taylor	1385			Wm. P. Buck	39	
56(b)	J. J. Quarles	1535	T. M. Finney	1356			D. G. Saegers	35	

DISTRICT CANDIDATES FOR CONSTITUTIONAL CONVENTION BY PARTY AND VOTE

Dist.	Democrat	Republican	Independent	Socialist	Other
57	J. J. Curl	1181 J. A. Bartles	1009		
58	W. D. Humphrey	710 E. B. Lawson	507 J. H. Shufeldt	336 W. M. Nearing	19
59	W. H. Kornegay	1292 C. B. Rogers	1026	A. Richards	19
60	Don P. Wills	1156 W. L. McWilliams	919		
61	J. W. Swarts	554 A. D. Morton	537 Edw. Byrd	9	
62	J. R. Copeland	1007 W. J. Jones	667		
63	J. K. Hill	984 John Hatcher	486		
64	C. V. Rogers	757 J. C. Bushyhead	557		
65	J. H. Langley	655 John Warren	341		
66	J. T. Edmundson	483 Wash. Swimmer	210		(Labor)
67	W. W. Banks	675 J. H. N. Cobb	761		T. I. Ingram 575
68	Flowers Nelson	1028 W. J. Gregg	704	O. B. Jones	43 (Non-Political)
69	W. T. Dalton	915 W. F. Taylor	645		F. R. Brennan 15
70		P. B. J. Hudson	980		A. L. Hausam 1302
71	T. C. Harrill	867 J. A. Harris	875		
72	A. S. Wylly	1018 J. H. Dick	597	J. D. Page	67 (Farmer's)
73	C. W. Board	700 L. S. Skelton	674 J. Parkinson	228 Isaiah Smith	118
74	N. B. Moore	549 W. A. Cain	729		
75		C. W. Raymond	685		
76		G. F. Bucher	22 C. J. Jones	826	(Greater Muskogee)
77	O. P. Brewer	669 M. V. Bengé	438	375	C. N. Haskell 1422
78	W. N. Littlejohn	1083 R. B. Choate	772		
79	G. D. Harvison	782 Wm. B. Hudson	1053	J. E. Galloway	284 (People's)
80	H. G. Turner	821 N. G. Turk	817	W. H. A. Harrison	52 J. N. Sims
81	J. A. Baker	843 H. M. Tate	734	L. A. Martin	325 (Farmer's)
82	E. F. Messenger	1093 R. M. McFarlin	469		C. C. Coates 66
83	W. C. Liedtke	897 C. E. Wilcox	796		
84	D. M. Faulkner	752 C. O. Frye	887	W. P. Childress	34 (Union Labor)

85	S. W. Hayes	1136	G. M. Mell	303			J. B. Appleby	151
86	C. M. McClain	1140	J. W. Hocker	512		W. M. Allison	94	
87	Carlton Weaver	1303	J. J. Burton	523		Wm. McDaniel	181	
88	B. F. Harrison	971	T. C. Walker	308	T. P. Knight	291		
89	J. I. Wood	1109	H. B. Rowley	473		W. A. Spindle	68	
90	Pete Hanratty	1108	J. S. Arnott	995				
91	N. B. Gardner	1314	L. D. Martindale	859				
92	E. T. Sorrells	1431	T. G. Overstreet	1058		G. V. Standfield	127	
93	R. J. Allen	1316	B. F. Ridge	253	B. V. Cummins	6	394	
94	Milas Lasater	1396	H. M. Carr	415				
95	H. S. Blair	268			F. J. Stowe	378	(Labor)	
96	C. S. Leeper	1049	T. J. Haxton	380			F. M. Phelps	588
97	Boone Williams	1048	A. E. Perry	532				
98	A. G. Cochran	1009	M. L. Thompson	836		C. P. Minson	86	
99	J. S. Latimer	953	P. S. Jones	811		M. McGee	73	
100	C. C. Mathies	1236	J. H. McClure	870	J. E. Johnson	264		
101	Cham Jones	905	J. F. Copeland	396				
102	L. J. Akers	1086	Walter Colbert	396	W. J. Dossey	5	J. R. Allen	320
103	W. A. Ledbetter	1008	S. A. Weeks	778				
104	W. H. Murray	1309	W. V. Cheadle	748		J. D. French	113	
105	J. H. Chambers	1076	J. G. Ralls	833				
106	J. C. Graham	1022			J. L. Clark	510		
107	G. A. Henshaw	1137	R. E. Grace	552		G. W. Bates	98	
108	R. L. Williams	1282	A. W. Barnett	461		J. T. Cumbie	206	
109	G. E. Parker	1360	S. J. Homer	890			(People's)	
110	B. F. Lee	1212	J. W. Everidge	933			J. W. Biard	88
111	S. J. Herndon	878	P. J. McClure	920				
TOTALS		105,147		75,694	5,312	6,739	5,233	

REPORT ON THE FIVE CIVILIZED TRIBES 1897

By The Kansas City Star

INTRODUCTORY NOTE

The yellowed and worn page of an old newspaper report on the question of intruders on lands belonging to the Five Civilized Tribes in the Indian Territory published by *The Kansas City Star* almost seventy-five years ago has been received from Miss Florence Wilson by the Editorial Office, and is here presented for its interest in Indian history. Miss Wilson recently gave the Oklahoma Historical Society a large collection of more than a half million pages of original materials and documents particularly relating to the history of Oklahoma City, kept by her late uncle, William F. Harn, a leader and business man in this city from 1889.

The report from *The Kansas City Star* is reprinted here in *The Chronicles* as it was written by a special correspondent and reporter who visited the leaders of the Cherokee and Creek nations in the Indian Territory. It gives a review of conditions existing in these nations at the time when the Curtis Act providing for the breakup of the Indian governments and allotment of lands in severalty among the Indian citizens was still under discussion in the U. S. Congress. No editing has been attempted to correct the inaccuracies that appear in a report of this kind prepared from data given offhand by informants for newspaper publication. On the whole, it is a good review of the general conditions and problems as well as the thinking among the citizens of the Indian nations of the Indian Territory in 1897.—The Editor.

The Kansas City Star
Sunday, February 7, 1897

A QUESTION OF INTRUSION

THE FIVE CIVILIZED TRIBES OF INDIANS AND THEIR TROUBLES

About two weeks ago *The Star* published a telegram from Washington stating that by February 6 every intruder must have vacated the lands of the Five Civilized tribes of the Indian Territory.

Since that time no action has been taken by the Interior department and no orders have been issued to United States troops, the union Indian agent or United States marshals to eject the intruders. This seemed to call for some explanation and the

Washington correspondent for *The Star* made inquiries and ascertained the following as the present situation:

“While the Interior department does not and will not officially say so, it yet remains a fact that no aggressive measures whatever will be adopted with relation to the so-called intruders in the Cherokee nation. Officials of the department hold that the order to take effect February 6 is really only a warning to intruders that after that date crops will be made at their peril. It is entirely probable, although no executive officer of the Interior department will so affirm, that no decisive action with respect to the intruder question, or any other question of considerable tribal importance will be taken pending the present negotiations of the Dawes commission.”

The settlement of the land question in the Five Civilized tribes presents one of the most serious problems that the United States has as yet had to face in connection with the Indians. They are not on reservations, but on lands patented to each nation (except the Seminoles, and theirs they bought), to be held by them “as long as the grass grows and the water flows,” as the language of the treaties puts it. They have homes, farms, towns, churches, schools, capitol buildings, courts, laws rigidly enforced and peace and order. They ask no alms from the nation and are self-sustaining, self reliant and fairly rich. Many of them are Indians in name only.

The agitation in recent years to compel these Indians to give up their tribal relations, submit to the allotment of their lands and surrender their autonomy resulted in the appointment of a commission by the President of the United States to treat with them, settle the “intruder” question and open up the lands to white settlement. The commission under the leadership of ex-Senator Henry L. Dawes, went among them. It met a body of men as able as any in the United States, with counsel and means to defend their rights. One thing, however, the Dawes commission did; it settled the “intruder” question, at least for the time being.

The plunder in sight in the division or allotment of the lands in the Indian territory is immense. This, the Indians say, is what the white men are after; they do not care for the civilization of the Indian so much as for his money. It is estimated that after the lands are allotted there will be 100 million dollars from the sale of surplus lands to be distributed per capita.

January 18 Senator Platt of New York introduced a bill in

the Senate for the allotment of the lands of the Five Civilized tribes, which was read twice and referred to the committee on Indian affairs. This bill is bitterly opposed by the members of these tribes, and their delegates are now in Washington fighting its passage.

The history of the Cherokees, Creeks, Seminoles, Choctaws and Chickasaws is the story of their rights, for which they are now fighting. They are of two primary stocks. The Cherokees, the most enlightened of the tribes, are Iroquoian; the Creeks, Seminoles, Choctaws and Chickasaws of Muskogean origin. Originally they inhabited contiguous portions of the Atlantic coast in and below Virginia, and claimed westward to the Mississippi river. They present many tribal features peculiar to themselves, and it is to be regretted that not one of these Five Tribes has a written history of any extent. They were great warriors. Pioneer life in the region they inhabited was a terror, owing to their war-like raids, and their resistance to encroaching whites and their gradual withdrawal before it are carried in story and in song, and will live in the history of the United States. No force of whites was too strong for them to attack, no distance too great to travel. They were famous for keeping their word when once passed, and famous for their hospitality in times of peace. Their warriors within a century will always be famous.

The famous Seminole war of 1835-1842 is an illustration of their prowess. It required an army of 41,000 whites under such generals as Scott, Taylor, Gaines, Clinch and Worth to subdue a mere handful of Seminoles, who, from every glade and forest, poured on them an almost incessant fire. And it cost more than 10 million dollars. This war was caused by the refusal of the Seminoles to abandon their homes in Florida and move to lands west of the Mississippi river. The whites lost 765 killed and wounded; the Indians 540 killed out of a tribe estimated at 1,000, all told. And the descendants of these fierce warriors are now the best of Indian citizens, and compare favorably with the whites about them in the Indian territory.

The tribal history, legends, beliefs and myths of the Five Civilized tribes would fill volumes. Their traditions of heroes and warriors show the highest human courage and devotion to tribe and country.

Their legends, interwoven with the description of the beautiful country they occupied, are classical in detail and round out

into epics. Their form of tribal government in many features is original, and brings contentment to the people. Their myths, almost oriental in richness of coloring, exceed the usual aboriginal imagination.

The Cherokee nation, by a treaty made in 1817, ceded to the United States an area of land lying east of the Mississippi river. In exchange for this the United States ceded to that part of the nation then on the Arkansas river, known as the "old settlers," as much land on that river, acre for acre, as the United States received from them east of the Mississippi, provided that all treaties then in force should continue in full force with all the Cherokees. This established the two names, Eastern and Western Cherokees. The Eastern band of Cherokees is the portion now living in North Carolina, Georgia and Tennessee, but chiefly in North Carolina on a tract known as the Qualla boundary. They are thus designated to distinguish them from the Cherokees who emigrated between 1809 and 1817 and located on the public domain at the headwaters of the Arkansas and White rivers, and who are now known as the Cherokee nation, Indian territory. The latter became known as the Cherokee nation west. The general term, the Cherokee nation, includes both. Some of the Eastern Cherokees, after 1866, on invitation, joined the Western Cherokees and are now with them in Indian territory.

By a treaty made in 1828 with the Western Cherokees, the United States guaranteed to them 7 million acres, with a perpetual outlet west as far as the sovereignty and right of soil of the United States extended. This vast tract was what is known as the Indian territory, and the Cherokees at the same time surrendered their lands on the Arkansas and White rivers. In 1833 a treaty was made redefining the boundaries of the treaty of 1828. In 1835 the Cherokees still held a quantity of land East of the Mississippi larger than the states of Massachusetts, Rhode Island and Connecticut combined. It had agreed that the United States should set a price that should be paid for these lands in contemplation of their cession to the United States. The Senate fixed the price at 5 million dollars. In a supplemental treaty in 1836 the United States initiated the policy of compelling the Eastern Cherokees to move West. This promoted factions among the Cherokees and much bloodshed. In 1838 General Winfield Scott employed 2,000 troops to expel the Eastern Cherokees, who were hunted over their native lands like wild beasts. As many as escaped capture clung to their homes, and, by a treaty in 1846, it was agreed that

they might remain, and the present band of Eastern Cherokees is the remnant.

All of this mixed condition has been the fruitful source of litigation and legislation, and the rights of the Eastern and Western Cherokees, and questions growing out of treaties and laws relating to them, are not yet settled. The Cherokees since 1776 have made about forty treaties with the United States and claim to have ceded more than 80 million acres of land to the whites.

The Cherokee nation came to its present location in 1839. The Cherokees in Arkansas, 6,000, and those removed from Georgia, estimated at 16,000, made a joint removal and thus formed the Cherokee nation in Indian territory. At the opening of the war of the rebellion in 1861 the Cherokees in Indian territory had progressed to a high state of prosperity, but they suffered great injury from both parties ravaging their country and heavy loss by the emancipation of their slaves. Nearly all the Cherokees at first joined the Confederacy, but after the battle of Pea Ridge a majority of the nation abandoned the Southern cause and joined the Union forces; a part adhered to the Confederacy to the end.

At the time of their removal West the Cherokees were estimated at between 24,000 and 27,000. In 1867 they were reduced to 13,566, but since then they have increased. In 1871 they numbered about 18,000; in 1880, about 18,500; in 1890 the Cherokee national census showed the total number of citizens of the nation under Cherokee laws to be 25,978.

The Creeks were originally a fierce and warlike tribe, with great organizing and controlling capacity. The original Creek confederacy was a confederacy of towns. Each town was a complete government in itself. There was a town chief for each town and a body of men in the nature of an advisory council, and in this great council of the confederacy these several towns were represented by their chiefs. These Creek towns are still preserved in the Creek nation and are, in fact, representative districts. In 1832 they made a treaty with the United States ceding the lands of their old homes and removed to the Indian territory, which, in fact, they settled at the "Old Agency." In 1832 Creeks to the number of 24,594 were removed west of the Mississippi, only 744 remaining in their old hunting grounds. At the breaking out of the civil war the Western Cherokees were estimated to number less than 15,000. The Creeks divided on the war of 1861 and engaged in

pitched battles against one another, the Unionists suffering badly, many of them fleeing to Kansas. They were brought together again after the war and in 1872 were estimated to number 13,000, and in 1890, by their census, 14,800.

When the Creeks lived in Alabama it was customary for members of the confederacy to go on long hunting trips. In one of these trips the Seminoles, meaning "strayed people," failed to return to the tribe and remained away permanently. The Seminoles are Creeks and were considered such by the Creeks until the treaty of 1866. In treaties prior to that time they are spoken of as one people. In 1856 the Creeks sold to the Seminoles a tract of land which they occupied for a time and then sold to the United States for fifteen cents an acre. In 1866 the Seminoles bought from the United States at fifty cents an acre 200,000 acres of Creek land, which they now occupy, being part of their lands. They brought a portion of their brethren from Florida, leaving 171 self-sustaining members there. The Creeks in 1881 sold the Seminoles another tract of 175,000 acres, which they now occupy, making their entire holdings in the Indian territory 375,000 acres, which they now occupy, making their entire holdings in the Indian territory 375,000, or 586 square miles. By the treaty of 1866 the United States recognized the Seminoles as a separate and distinct nation. They are exclusive and keep to themselves, with not much desire for advanced education.

The Choctaws, Chickasaws, Creeks and Seminoles were many centuries ago one tribe. The Choctaws inhabited the country in Alabama, Mississippi and Tennessee. They occupied these lands when De Soto explored this region in 1540. From that time to the establishment of the American republic the Choctaws and Chickasaws were almost constantly at war. In 1765 the Chickasaws made their first general treaty with General Oglethorpe of Georgia, and in 1786, after the colonies gained their independence, both tribes made treaties with the Americans guaranteeing them peaceful possession of their lands. From the date of this treaty the Choctaws and Chickasaws have kept faith with the United States.

As early as 1800 the encroachments of the whites filled these tribes with a desire to emigrate to the West. In 1803 about 500 families of Choctaws moved West. In the war of 1812 and the Creek war the Choctaws and Chickasaws did valiant service for the United States. In 1820 the Choctaws ceded to the government a part of their territory for lands west of the Arkansas. In 1830

they ceded the remainder of their lands, 19 million acres in all, and received 20 million acres west of Arkansas and $2\frac{1}{4}$ million dollars in money and goods. In 1805, 1816 and 1818 the Chickasaws ceded their lands and many of them moved West with the Choctaws. From the sale to the United States they derived over $3\frac{1}{2}$ million dollars, came West and bought from the Choctaws for $\frac{1}{2}$ million dollars a tract of land west of the Choctaw nation in Indian territory. Its surplus funds, like those of the Choctaws, were invested with the United States government, and which they reserved the right to control and manage. As a body they did not advance as rapidly as the Choctaws, their large annuities inducing laziness, and the work was done by slaves. In 1855 they separated from the Choctaws and established their own government. The Choctaws and Chickasaws furnished several thousand men to the Confederacy during the war of the rebellion and negotiated treaties with that government. The United States held that by the part taken by the tribal governments in the war they had forfeited all their rights, which, however, were restored under certain conditions, and the treaty of 1866 was made. This treaty is the basis of all laws pertaining to the intercourse of the Choctaws and Chickasaws with the United States. The allotment and governmental provisions of the treaty of 1866 have never been compiled with and vexed questions have resulted therefrom.

The "intruders," the Indians of the Five Civilized tribes say, are the cause of all their present troubles. If they had kept the "intruders" out they might have peacefully pursued their tribal rights undisturbed by the United States and the white speculators. A reporter for *The Star* made a journey into the Creek and Cherokee nations last week to gather the facts as to "intruders" from the Indian standpoint. The Creeks and Cherokees are closely allied in all matters, and as the Creek commission, with the chief of the nation, was in council at Muscogee, they were interviewed. Many citizens of Muscogee, both by blood and marriage, are Cherokees. The town has probably between 4,000 and 5,000 inhabitants. It is well built and prosperous. Good buildings of brick and stone line broad streets. The stores are filled with as good if not better stocks of goods than can be found in towns of equal size in the states. Residences that evince wealth and good taste belong to the inhabitants. A well equipped theater, a district court house, a United States jail, manufactories and other industries make up the town.

The members of the commission were Isparechar (pronounc-

ed Ees-pi-ee-chee), a full-blood Indian, chief of the Creek nation; J. H. Lynch, a half-blood, his secretary and interpreter; D. M. Hodges and A. P. McKillop, half-bloods, and Concharty Micco and Roland Brown, both full-bloods. Mr. Hodges, Mr. McKillop and Mr. Lynch speak English perfectly. The old chief, who is a fine, stalwart, intelligent man, with a head like that of Beaconsfield, the English premier, says very little and that through his interpreter. He dresses in broadcloth, wears a seal ring and a sparse mustache and imperial, like the respected Li Hung Chang. He is said to have united the Creeks, and is a wise chief and counselor.

In a general discussion of the "intruder" someone said:

"There are among the 'intruders' about 4,500 heads of families. These were temporarily allowed to remain in the country through 'prima facie evidence' that they are citizens of the nations. 'Prima facie' evidence consists in getting witnesses to swear that they are Cherokees or Creeks or whatever it may be. This evidence they present to a committee on citizenship, who in turn presents it to the national council which recommends for or against the evidence. If the council decides that the applicant is not a citizen he is ordered to leave the country and if he refuses the council reports him to the Indian agent for the five tribes, who is the only arm of authority the United States has in the nations. The agent sends word to the 'intruder' by the Indian police that he is an 'intruder' and must take his effects out of the nation within ten days, or show cause why he should not be removed. The claimant then comes before the agent and offers in testimony his 'prima facie' evidence. The agent reports it to the Secretary of the Interior of the United States, who issues the claimant 'protection papers' until his citizenship can be established. In the meantime the 'intruder' uses all the land he can cultivate, pays no taxes, either to the nation or the United States, gets free education and free books for his children, the use of the range for his horses, cattle and hogs and has a good time generally."

"How did it start, and why was it allowed to grow?" was asked.

"In the beginning came a man of the name of Watts Malachia Watts," was the reply. "Twenty-five years ago he entered the Choctaw country from Arkansas and claimed citizenship. He was rejected by the authorities, but refused to move. Then the council notified him that if he didn't move he and his family and his

goods would be thrown into the Arkansas river. Watts moved into the Cherokee country and again applied for citizenship. He was unable to prove the possession of Indian blood and was denied citizenship. Instead of threatening to throw him into the river the peaceful Cherokee council appealed to the United States for protection and relief from Watts. It was not given.

"Then began an effort, through the delegates in Washington, to have the 'intruder' taken away. In the meantime the Wattses grew in number. They were hard working people and took up a large amount of land, which they worked, and accumulated money. Jeff W. Watts, the son of the original Watts, and now called the 'King of truders,' was sent to Washington to fight for his cause. He was an intelligent and shrewd man and was able to secure 'protection papers.' Then the Watts family beckoned other families into the nation from the states until there were colonies of them scattered here and there over the land."

The continued efforts of the Cherokees to oust them became expensive for the 'intruders' and they organized the Cherokee Citizenship association and invited all who claimed citizenship to join them. This invitation was sent throughout the states and responses came in by the thousands. The association guaranteed to represent all who claimed Indian blood in Washington, and, to pay the necessary expense of keeping counsel and a delegate there, assessing each member so much a month. From the half dozen Wattses the association had grown to 5,000 families.

. . . The Cherokees finally consented to this and President Cleveland appointed the Dawes Commission.

"In considering the 'intrusion' case the Dawes commission decided adversely to a great majority of the citizenship claims. The case of the large Watts family, all claiming to be citizens through Malachia, was decided against them. They had increased to about 700 by that time. They appealed to the United States court for the northern district of the Indian territory, which is the court of last resort in these cases. They will come before Judge Springer in April. Those who did not appeal from the decision of the Dawes commission, and they are greatly in the majority, must leave the country. These are the 'intruders' who are referred to in the report in *The Star* that the exodus must take place by February 6. The Dawes commission only admitted 225 families, about 1,000 or 1,500 persons, out of 25,000.

"This action of the United States in deciding the intruder

question is in the face of a decision by the United States supreme court to the effect that the Cherokee may alone judge who or who are not citizens of the tribe, and this decision has been repeated three times since 1873.

“The intruders, the Cherokees consider, are largely responsible for the crime laid at our doors. We are unfortunately situated. Being a protectorate of the United States, we are denied jurisdiction over citizens of the United States in our country. If an intruder should commit a crime in the Cherokee country against a Cherokee and he is carried into the United States court at Fort Smith or elsewhere, he will plead Cherokee citizenship and produce ‘prima facie’ evidence. Being the offense of a Cherokee against a Cherokee the United States court would disclaim jurisdiction and turn him over to the Cherokee courts. The Cherokees, believing him not to be a Cherokee, will take no jurisdiction over him, because that would be an acknowledgement of his citizenship. Consequently, he goes scott free.

“We claim that the records of the United States courts having jurisdiction over this country prior to September, 1896, will show that less than 5 percent of the crime committed in the Indian territory was by Indians. Ninety-five percent of the criminals are non-citizens and ‘intruders’ over whom the Indians have no jurisdiction and who should not be held responsible for them.

“If the United States government would authorize the chiefs of the several tribes to capture these criminals and turn them over to the United States marshal in this district there would not be a criminal in the country in thirty days. The policing of the Indian countries is done by high sheriffs and district sheriffs, each of whom has a number of deputies. This United States district is in charge of a marshal and fifteen riding deputies. The district comprises the Cherokee, Creek and Seminole counties—more than they can police properly. If one of the Indian police, in attempting to arrest a United States criminal, should kill him, he would be taken before the nearest United States court and tried for murder. Such cases are usually acquitted, but the defense of them causes the defendant loss of time and money, and confinement in prison for from six to eighteen months. In two cases well known here, in which Indian officers were acting under orders from the United States Indian agent, both were impoverished in defending themselves. One killed a notorious criminal, the other went after ‘Oklahoma’ Payne, the boomer, burned his printing outfit, and

took Payne to Fort Smith. He was imprisoned and made to pay Payne heavy damages, and has never received redress from the United States.

"The government of towns in the Cherokee country is vested in a mayor, who is also police magistrate and has no jurisdiction over United States citizens. The United States courts govern citizens of the United States and the Indians take care of their own people, but if an Indian commits an offense against a citizen of the United States the United States protects its citizen and punishes the Indian."

"What is the form of government in the Cherokee, Creek and Seminole countries?" was asked.

"The executive officer is called principal chief. There is also an assistant principal chief, but he does not stand in line of succession. The chief and assistant are elected for four years. The legislative department consists of a senate and council. Each district, without reference to its size or population, is entitled to two representatives in the senate, but the lower house representation is based on population. Members of both houses are elected for two years. There are nine districts and eighteen senators. The council is composed of forty members. Among the officers of the legislature are 3 interpreters, one in the senate, two in the house. The judicial is represented by a supreme court of three members, a chief justice and two associates. There are three district judges elected by the people. There has been great progress made by both the bench and bar in the Cherokee nation, and the practice now is the same as it is in several of the states. The records are kept in the English language. At nearly all jury trials interpreters are needed.

"The Creeks have a chief and assistant chief, a house of kings and a house of warriors, the senate and lower house respectively. They have a supreme court and district courts. The Seminole have a chief, assistant chief and a general council, made up of the town chiefs. The Choctaws have a governor, a lieutenant governor, two houses of council and courts. The Chickasaws have the same. Of all the nations, the Creeks and Seminoles have intermarried less with the whites. The Creeks have intermarried to some extent with the negroes, who were once their slaves. The Seminoles are most exclusive; the Cherokees the most progressive."

One of the leading counsel of the Creeks made this statement:

“The members of the Five Civilized tribes are not the wards of the United States, as are the plains tribes. They are self-sustaining and self-governing. The United States is represented among them by an Indian agent, much as a casual represents the United States in a foreign country. The treaty of 1785 arranged this. Accompanying this treaty was exchange of prisoners and a promise on the part of the Cherokees not to trade with the Spaniards, who then owned Florida. The United States then put the Cherokees in a position of a dependent state or nation protected by the United States army against foreign invasion, with the right of self-government, constitutionally created by treaty stipulations by the United States Senate and Congress and ratified by the President. When the state of Georgia blasted us out so far as a nation east of the Mississippi was concerned and drove us away at the point of the barrell, we were created a Western nation with further treaties that only strengthened our position. These treaties provided our laws should conform to the constitution of the United States, the law of the states. The constitution was obtained in and over our country with as much vested right to our political positions as to our lands, and the law has never been denied. We will contest a law of Congress that will disturb our own self-government.

“The Five Tribes have been in the country seventy years and have developed it under encouragement of the United States and our own men. If we must submit to allotment, let it be made to protect our improvements: railroad, coal mines, public buildings and farms. We have a large number of delegates in Washington to protect our rights. Altogether, for the protection of all sides and interests, I suppose there are 500 Indian delegates in Washington, and many of them are as able as any men in the country.”

The Old Chief Isparechar talked long and earnestly with his interpreter, who then spoke in a parable.

“The chief says: ‘The Five Civilized tribes are likened unto a buffalo, which has been harassed and wounded until the blood flows from him. As he struggles along he is pursued by myriads of wolves, who have smelled the blood from afar. The black wolves of the coal mines; the gaunt white wolves, the speculators; the gray wolves of the railroads and coyotes by the thousands. The coyotes are the intruders, who yelp and hang on, encouraged by the presence and protection of the stronger wolves.’ ”

The condition of the white man, or non-citizen as he is called

by the Indians, is not one of hardship. In the Creek and other countries, except the Cherokee, a non-citizen trader pays the nation in which he does business a tax of $\frac{1}{2}$ of 1 percent on the value of all merchandise he brings into the country for sale. The non-citizen who rents a farm from an Indian pays the nation a monthly tax of fifty cents, for which he is entitled to use the public domain as grazing land for six cows, six horses and six hogs. This does not, however, give his children free school facilities, although in many cases he is permitted to send his children to "neighborhood schools," as they are called, free of cost. The Star reporter went among the non-citizens doing business in Muscogee and asked them how they were treated by the Creeks. Without exception they said that they were well treated and were given every opportunity to do business. Their tax they did not consider a hardship, as they were released from all other taxes. The Indian authorities protect them against interference from Indians, and the United States courts and marshals protect them as American citizens. Many of them own the property in which they conduct business, and the houses they live in. This kind of property must be sold back to the Indians or to their successors when they leave the territory.

It is a surprise to a visitor from the North to observe that the populations of the towns are not at all like Indians. One will converse with a well dressed, educated and cultivated man, as white, to all intents and purposes, as himself, and may ask, when he learns that he is a permanent resident: "What brings you to this country?" to be confounded by the reply, "Because I belong here, I am an Indian." And, truly enough, he is an Indian, possibly of thirty-second-blood degree.

Nowhere in the country can one find more beautiful, well dressed and cultivated women. The admixture of white and Indian blood in the women gives them a grace and beauty that is surprising. They lose the Indian characteristics of straight hair, dark skins and high cheek bones, and, as the Indian blood becomes more and more attenuated, brown, wavy hair, blue and gray eyes and skins, as fair as may be, predominate. But they retain the Indian characteristics of straight, lithe figures, superb health and quick and retentive faculties. The daughters of the Indian territory are educated carefully, and they repay their teachers with graceful and cultivated minds. One night last week the theater in Muscogee was crowded with townspeople to listen to a traveling company of players. Women predominated—and such women.*

There was not a plain nor a badly dressed girl in the house. It was a beauty show on a small scale, as common to the people of Muscogee as it was surprising to a stranger. All the towns in the Cherokee and Creek countries have their rival beauties. Muscogee, Okmulgee, Vinita and Tahlequah possess some that would rival those of Baltimore or Louisville. They are of the Southern type and possess many social accomplishments, for many have been to Eastern schools and have enjoyed the society of Washington, New York and other Eastern cities.

General Pleasant Porter, now in Washington as a Creek delegate, is a handsome and cultivated man. He is called "The Roscoe Conkling of the Creek Nation." He has been a visitor to Washington for years. One would hardly pick him out in a crowd for an Indian, yet his father was an Irishman and his mother the daughter of Tartope Tustennuggee, a chief of the Okmulgees.

Colonel Robert L. Owen, one of the handsomest young men in the Southwest, is a Cherokee. He is a lawyer and is at present in Washington representing the Cherokees. He is a graduate of the Washington-Lee university and a very accomplished man, both socially and as a business man and financier.

The Indians are proud of their blood, and it is no uncommon thing, in speaking of a person, to hear one ask, "Is he an Indian or just plain white?" The phrase "just plain white" carries a wealth of meaning.

The Indian constabulary of the Creek and Cherokee nations are called "Light Horse police." In the Creek country many of them are citizen negroes, and they are a fine, dashing lot of men, fearless riders and, if need be, savage fighters. One seen in Muscogee last week would have delighted the eye of Remington. He seemed to have dropped out of a Remington picture. He was coal black and sat his white horse like a Prussian grenadier. He wore a reefer jacket buttoned to the chin; the large pearl buttons on it glinted in the sun. His head was covered by a wide brimmed black hat. His trim legs were encased in tight-fitting breeches and riding boots, and his coat was bulged on the hips by the big cavalry revolvers strapped to his side. He was the type of officer who brings back his prisoner when he goes after him.

The Five Civilized tribes would seem to lead an enviable life in their beautiful country. They are well provided with money to conduct their governments without taxation. This is derived from the income from funds in the hands of the government of the Uni-

ted States, from land leases, coal mines and railroad franchises. The educational facilities of the Cherokees and Creeks are exceptionally good. At Muscogee are four large boarding schools, conducted under the faiths of the Catholic, Baptist, Methodist and Presbyterian churches, and two schools for the negroes, the Pecan mission school and the Creek orphan school. At Tahlequah are the large and well conducted seminaries for Cherokee boys and girls, pictures of which are presented herewith. Then there is the Cherokee orphan school and farm, situated on the beautiful Grand river, where the girls are taught useful household arts and the boys learn to do farm work. At Eufaula is the Creek high school, really a big boarding school for Creek children. At Wetumka is another Creek high school. At Okmulgee is an orphan boarding school. An Indian mission is situated at New Yorker. Wealaka and Cusseto; both have boarding schools. At Tallahassee is a colored boarding school. Besides these there are seventy-five neighborhood schools in the Cherokee nation and forty in the Creek nation. The other nations are also well provided with schools.

The Indians say that if they are left alone they will work out their own salvation much better than if the white man with his whisky and other evidences of civilization takes a hand in it. If they must take allotments they desire to do their own allotting and enter the United States as a state and not a territory, and with the power to make their own enfranchising laws, whereby they may be able to protect the property which belongs to them by right of solemn compacts made between them and the powerful government of the United States.

INTRUDERS OR INJUSTICE?

*By Marguerite McFadden**

In the spring of 1867, four young men rode horseback into what was one day to become the well-known town of Webbers Falls. The year was 1867. In the Cherokee Nation things had not yet become normal. Many Cherokees who had refuged elsewhere during the War were crowding the Canadian District ¹ since they were unable to return to their homes in the northern part of the Nation because of the hard feelings yet remaining between the two factions—those who fought on the side of the northern forces and those that fought for the Confederacy. As the young men rode into the bottom, they saw returning settlers rebuilding homes that had been burned during the war. They had passed many chimneys, standing in lonely isolation that had not yet been restored to home fireplaces.

These young men rode with evident military precision. They were recently discharged from the Union Army. The group was made up of Samuel Sylvester Cobb, his brother John Oliver Cobb, Eli Cleveland and Thomas S. Hutton. Samuel S. Cobb and his brother had both been honorably discharged as captains. Samuel Cobb was twenty-seven and John a little younger. These four young white men had come to the West to start a new life after the close of the war. Each came with all his worldly possessions, a horse, a saddle and bridle, and each carried a hundred dollars in cash—their entire capital. They were however carrying a per-

*This contribution on "Intruders or Injustice?" was compiled by Marguerite Sanders McFadden from data gathered in her years of research on the history relating to Webbers Falls where she was born before statehood. Her mother (Lillian Boyd Sanders) was the daughter of James Boyd who had come as a Methodist preacher among the Cherokees in 1886, and organized and built up churches in Campbell (now Gore) and Webbers Falls. Her father, Harry L. Sanders was of a Missouri family of Dutch descent. As a child, Marguerite attended Brewer Academy at Webbers Falls, a Methodist school now lost to history. Her grandparents, mother, brother and aunt are all buried in the old Campbell cemetery at Gore.—Ed.

¹ The Canadian District was the southwest part and one of the eight districts in the Cherokee Nation. The district was triangular in shape with the Arkansas River as its east boundary, the Canadian as its south boundary, and the line of the Creek Nation as its west boundary.

mit to trade with the Cherokees, and with the determined ambition to get ahead.^{1a}

The permit to trade read as follows:

Be it Known that Samuel S. Cobb and John Cobb of Blount County Tennessee and Eli Cleveland of Bradley Tennessee, having filed their application before me for a license to trade with the Cherokee Tribe of Indians at the following named place within the boundaries occupied by the said tribe at or near Webers Falls, In Canadian District, and having Executed and filed with me, a Bond in the penal sum of Five thousand dollars, with John C. Cunningham and T. J. Parks as sureties conditioned as required by law for the faithful observance of all the laws, and regulations, provided for the Government of trade and intercourse with the Indian tribes and reposing special trust and confidence in the patriotism, humanity and correct business habits of the said applicants, and being satisfied that they are Citizens of the United States as required by law, they are hereby authorized to carry on the business of trading with the said Tribe of Indians, at the above named place for the term of one year from the date hereof Given under my hand and Seal. This the 24th day of June 1867.

(Signed) John J. Humphreys

U. S. Agent for Cherokees

This permit to trade shows that Thomas Hutton's name was not in the first permit to trade. It was however in the following permits, and after the first one, the name of Eli Cleveland did not appear. It was at this time that there was a cholera epidemic in the Nation, and Eli Cleveland died within the first year of this dread disease. His body was sent back to Tennessee for burial. Many of the Cherokees died at this time. It was thought that the disease was brought up-river in the steamboats by rats that had crept aboard down river, probably at New Orleans where the disease was picked up from the ships from foreign shores.

The following is a part of the necessary bond to trade with the Cherokee Indians (exact copy):

We Samuel S. Cobb, John O. Cobb and Thomas S. Hutton of Blount

^{1a} Sources used in this article include family history, permit to trade, copy of bonds, etc., in the possession of the Miss Clarice Cobb and her brother of Vinita, children of Samuel S. Cobb and Ellen (Vore) Cobb who was a daughter of Israel Vore and Sallie (Vann) Vore, daughter of "Rich Joe" Vann. See *Appendix* for list of sureties for the firm of Cobb, Cobb and Hutton at Webbers Falls and biographical sketches of Samuel Sylvester Cobb and John O. Cobb.

County, Tennessee and Calvin J. Hanks² and J. L. McCorkle³ of Cherokee Nation are jointly and severally held and firmly bound unto the United States in the penal of five thousand dollars good and lawful money of the United States for the payment of which we bind our selves and each of us our heirs, executors or administrators, Jointly and Severally firmly by these presents. Signed with our names and sealed with our seals and dated this 28th of June, 1868.

The condition of the above obligation is such that whereas the above bound Samuel S. Cobb, John O. Cobb and Thomas S. Hutton has obtained from the United States agent for the Indians of the Cherokee agency permission to trade in goods, wairs, murchantdis and c at Webbers Falls Canadian district in the Cherokee Nation and with Said Tribe. Now if the above bound Samuel S. Cobb, John O. Cobb and Thomas S. Hutton shall in all things comply with the laws and regulations of the United States in relation to intercourse and trade with he said Tribe and Shall conduct themselves as peaceable citizens of the Cherokee Nation during the period for which said permission is granted them, this obligation to be void, otherwise to remain in full force and effect. Given under our hands and seals the day and year above written.

At this time there were few towns such as Tahlequah and Fort Gibson in the Cherokee Nation which was made up mostly of farm communities. These were closely settled around places where there were trading stores on the main traveled roads or at steamboat docks on the rivers.

Webbers Falls community was below the barrier on the river, originally known as the "Falls of the Arkansas."⁴ This was a good place to settle as it was the head of navigation for steam-

² Calvin J. Hanks, was a Cherokee descendant of Dr. Robert Taylor Hanks and Margaret Ann Ward (Morgan) Hanks born February 8, 1836, at Clarksville, Georgia, coming to Canadian District as a young man with Cherokees West.

³ Joseph Loren McCorkle was a white man, born in Louisa County, Virginia, September 19, 1837, a son of Joseph & Harriet (Hatfield) McCorkle, and was of Scotch descent. He graduated from the University of Virginia and was a Major in the Nineteenth Tenn. Regiment in the Civil War. He was seriously injured at Mill Spring, Kentucky, January 14, 1862, and was forced to resign because of his injury, coming to the Cherokee Nation immediately afterward. He married Eliza Holt, daughter of William and Nellie (Miller) Holt. After she died, he married Emma (Drew) Robinson, daughter of John Drew, and widow of Wm. G. Robinson.

⁴ The Falls of the Arkansas were reported six feet in height in 1806. Through the years siltation in the river bed almost covered the rocky ledge forming a barrier for boats going upstream when the river was low. At flood stage, the first small steamboats loaded with cargo for Fort Gibson and points upstream were towed around the barrier.



(Original photo of 1883, in the Clarice Cobb Collection)

MARY ELLEN VORE COBB

This photograph was taken the year of Mary Ellen's marriage to Samuel Sylvester Cobb at Webbers Falls in the Cherokee Nation, October 29, 1883. She was the daughter of Israel G. Vore and his wife, Sally Vann Vore who was the daughter of Joseph Vann ("Rich Joe") of Webbers Falls, prominent Cherokee citizen.

boats along the Arkansas when the river was low. Here the four young men decided to open their trading establishment.

Ellen (Vore) Cobb, writing to her niece, Miss Mottie Dodson, recalled the following: ^{4a}

I think I was about ten years old when they came to Webbers Falls. They put up a log hut. One big room with a "loft." This loft was their store-room and as they sold out they would bring things down. They bought their groceries from Alkire Grocery in St. Louis, Chicago, Fort Smith and other places.

When anyone wanted something a little extra they would take their order and when they went to St. Louis would get it or send to Chicago. I do not know how long they remained in the log house. They paid strictly to business and finally built a large frame building and went at it right.

They killed a hundred head of hogs and Mr. Hutton (who joined them in partnership the following year after their arrival) tried to economize and do most of the work with the aid of several negroes. He rendered lard and got Kansas salt and lost every joint of meat they had with the exception of the lard and sides. They threw hams and shoulders into the Arkansas river. They blamed the Kansas salt. It had too much alum in it. Ever after that they used Michigan or Lake salt.

They rented a hundred acres of land and hired negroes and made a good crop every year. They sold everything and bought everything that was brought in, or they would exchange for groceries.

One day an old lady brought in a bucket of kraut and Mr. Cobb (S.S.) did not say whether he would buy it or not but kept eating it. The woman was afraid he would eat it up, so she stepped back and said, "You like it don't you Sammy?" Needless to say he bought it.

There was all kinds of wild fruit and they bought blackberries at five cents a gallon. They even bought hides and furs for Joseph Sondheimer. He, at that time, lived in St. Louis and made trips out in this part of the country. ⁵

They had crib after crib of corn. The cribs would be long open pens built high, with spaces between the planks.

One time an old lady brought an old horse up to the store for a debt she owed them and to get some other groceries. She cried so, I think she made Mr. Cobb pity her, so he made her take the old horse home and she got her groceries too.

As money was scarce or almost non-existent in the Nation for some years, many purchases were by barter and trade. ⁶

^{4a} Mottie Dodson, granddaughter of John O. Cobb, a resident of Muskogee. The letter quoted was written to her Feb. 12, 1937, by her aunt, Ellen (Vore) Cobb, of Vinita, Okla.

⁵ J. O. Cobb's daughter, not yet born in 1867, by the name of Eudora, married Joseph Sondheimer's son Alexander, thirty years later.

⁶ Gilcrease Institute, Drew Papers, Folder 227.

A letter to Mrs. Charlotte G. Drew, wife of John Drew, from Cobb and Company, shows a similar transaction: ⁷

Webbers Falls
January 13, 69

Mrs. C. G. Drew:

I have received by Mr. Kyle 68 bushels and 20 lbs. corn over paying your account one bushel and 24 lbs. I also have an order from John Q. Hayes for 20 bushel. ⁸ If you accept the order please send it down by Mr. Kyle.

Respectfully,
Cobb and Co.

A grand-nephew of the Cobb brothers told this story about John O. Cobb: ⁹

One day shortly after the men opened their store at Webbers Falls, an Indian woman came in to buy some indigo. Now Indigo was used for dyeing cloth and was very expensive, selling for 15 cents an ounce. Everyone was out to lunch except John Cobb, when the woman came in. Wanting to show the others that he was good as a merchant, and seeing the price of 15c on the indigo, he sold the entire stock, two or three pounds, for 15c per pound. Needless to say, at that price, the Indian woman bought all he had at such a price, and probably went home laughing at the ignorant white man. The mistake was not known until the next time a list was made up for ordering supplies when John spoke up and told his brother to order more indigo. He was much surprised when his brother replied that they had enough indigo to last a long time, and asked John what became of it.

John proudly replied, 'I sold it.'

"For how much?" asked Sam.

"For 15 cents a pound, and the woman bought all we had," answered John, strutting a little.

Well, the very angry Sam explained in no uncertain terms what he thought of John's ability as a merchant. The suddenly deflated John saw his hard earned dollars flying out the window.

Two letters written early in this period give a vivid picture of the times in the Nation as seen through the eyes of the young merchants: ¹⁰

Martha Blythe, born January 31, 1812, married in May, 1828, Alexander Clingan, born February 20, 1801, in Hawkins County, Tennessee.

⁷ John Drew, Cherokee merchant who came to the area in 1819, and Charlotte (Scales) Drew, sister of Joab Scales, who came with her family in 1838 with the Ross Party.

⁸ Here John Q. Hayes married Jenny Talley, daughter of Nonnie Mackey and Joseph Talley. Mr. Hayes kept a store, ferry, both landing and warehouse for goods on the bank of the Arkansas River at the mouth of the Canadian River.

⁹ A grand-nephew of the Cobb brothers, Phil H. Cobb of Henryetta.

¹⁰ Original letters in the possession of Phil H. Cobb of Henryetta. An explanation on the family of the persons involved is necessary to understand the persons mentioned:

They were the parents of Evaline Clingan born April 13, 1835, who married Joseph Benson Cobb, and also were the parents of James Clingan, Martha Clingan (who married Cyrus A. Norman) and Judge Keith Clingan. Judge was his name, not a title. Joseph Benson Cobb had two brothers, Samuel Sylvester Cobb and John Cobb, the two merchants at Webbers Falls. The grandfather of Phil H. Cobb was Joseph B. Cobb and his grandmother was Evelyn (Clingan) Cobb.

Webbers Falls, C. N.

April 22, 1868

J. K. Clingan
Cleveland, Tenn.

Your favor of March is now at hand. I taken the privalege of opening the letter as S. S. is not here. After reading your letter I will try to answer as best I can. I imagine S. S. has been blowing off a little, he takes after his Uncle Jack, that you no. He blows some of these fellows here pretty hard tho he just soots them. S. S. and Thomas Hutton try themselves and enjoy it as well as anybody. Well in the first place the delegates are in Washington City to fix up the National Affairs. They are trying to get or make a new treaty to bring about the sectionization and if they fail in that they are to make a final settlement with the U. S. for the Eight hundred thousand acres of land which was sold or treated in the treaty of 66, at one dollar per acre. It is a matter between the Cherokees wheather this is to be paid or not, but there is no doubt but it will be paid if they get it from the U. S. Some little talk of Sectionizing but it is unsafe to speak of it publicly. I am told the Cherokees have the finest land of any of the tribes. The Cherokee Nation is laid off in eight districts. We are in the Canadian District. This district is large enough for the entire nation. This is the best for corn and winter range. The soil is as good as any use for large bottoms but some broken mountainous parts. We are on the Arkansas river, fifty miles from the state line, fifty miles from Fort Smith, twenty-seven miles from Fort Gibson and thirty miles from Tahlequah the seat of government. We are west of Ft. Smith, south-east of Gibson and south of the Council grounds. There are but few springs in the District and but few streams that are strong enough for a water mill. The river runs from west to east, we are on the south side of the river. On the north side of the river there is as fine clear water and fine springs as East Tennessee can afford. Some good mill seats, it is more broken than this but fine good land. The rainge is not so good as this. The Indians go heavy on good rainge. The stock lives fat the year round in the bottoms. This bottom is four or five miles wide and about twenty-five miles long. If I had a right here I would secure a farm in this bottom and one north of the river in a good section where there is good springs. Some very good people here and some very bad. Some as fine educated and as nice girls as any where, but the majority of the femine sex no not what virtue is. They have three classes of society as the whites have, in fact this nation will be white in ten years or less, or might be considered so now. There are some few fast horses here. Men coming from the states get up a race now and then and drive off a few ponies and cows and calves. The grass is fine. Blue stem grass grows fine. The Range cant be beat. I asked a member of the Council his opinion about the country being sectionized. He said it would be done in less than five years and probably in one.

Corn grows fine here from 50 to 80 bushels per acre. I haven't seen any wheat here.

I believe I have written about all I no so I will close. My respects to you and all the friends. Does J. B. Cobb speak of coming out? Write soon.

I am a very bad hand to write, that you will discover.

Respectively,
J. O. & S. S. Cobb

William Clingan is at Gibson. He was well a few days ago. There is good prospect for a R. R. to this place and one at Ft. Gibson. This country will be full of roads in ten years and probably five. S. S. & Hutton left on the tenth with cattle bound for Kansas City.

Write soon
J. O. C.

The other letter, written a few years later is included as it also gives a graphic picture of the life and times of the day:

Gibson Station

Feb., 18th, 1872

J. K. Clingan

Dear Sir,

I concluded I would write you a few lines. Have just returned from a trip to Webbers Falls last night. Found all the friends only in tolerable health. John chills some. Sam and Tom are long hatchet faced. Chasing cattle and green backs. Bill is getting stout. Andy has had the chills this winter it goes hard with him. he can out grunt me two in the game. Belle's health is good and has been pretty much all the time since she came to this country. Lizzies health is not good but I believe better than it was when she first come to this country.

Eva is looking about like she did when we was married all the difference I can see is her teeth looks some what snaggly.^{10a} The children are all looking well. My health is better than it has been for twenty years.

So far as our pecunnary matters are concerned we are a little hard up. Money matters is pretty close in this section though we all have our arrangements made so as not to suffer for something to eat.

Come out and I will show you the finest situation for a farm in the nation, we have pretty comfortable house, a good spring and spring house. Two miles from the timber that is as close as I want be to timber and just as much rich land as I want, two thousand acres if desired. I expect to get that much enclosed against planting time. I have a hog ranch started, expect to finish the house this winter. I have about forty or fifty head of hogs and pigs. I have employed a Prussian to take care of them. I cant understand much he says but I think he means well and can take care of hogs. I sent him to the woods the other day, he went to go to dinner and hid his axe and took him till next day to find it, hes all right now.

Judge, I don't see what you are staying back there for a man can almost double his money here every year.

Judge, I have written to several so as to here from Julian and have not heard a word. I wish you would see him and know of him when he can pay me. It must come pretty soon or I will have him to sue.

Write and let me know and give me the news generally, nothing more

Yours truly
J. B. Cobb

The three men operated their store in partnership for quite a period of time. During this time their business was very good and they prospered.

John O. Cobb was appointed postmaster sometime after the

^{10a} Eva was Phil H. Cobb's grandmother.

Civil War. It is reported that he served for a time but for some unknown reason the post office was closed down until May 16, 1870 when John O. Cobb was reappointed. He served until January 8, 1872, when he was succeeded by Robert E. Blackstone, a new merchant to the area.¹¹

During these years when the three partners were together, the store was known as Cobb and Company. Sometimes they were paid in money for their merchandise and sometimes in barter.

A bill for merchandise, under date of September, 1872¹² was for merchandise for Miss Emma Drew, bought of S. S. Cobb & Co., Webbers Falls, C. N. and was for purchases up to January 1, 1873, in the sum total of \$176.70.

THE COBBS MARRY AMONG THE CHEROKEES

Samuel S. Cobb fell in love with and married Ellen, the beautiful young daughter of Israel and Sallie (Vann) Vore, October 29, 1883.

John O. Cobb married Eudora A. Moffett, part Cherokee, in Sequoyah District, Cherokee Nation, May 14, 1869. They were married by Franklin Faulkner, Judge of the district, who certified that the said Cobb "had complied with all the requirements of the Cherokee laws" respecting intermarriage with white men.¹³

Eudora Moffett had been told that she was a descendant of the original John Gunter, through Starling Gunter, a son by an earlier marriage than that which produced the John Gunter who came to Webbers Falls with the Cherokees West. The woman who was the mother of the former line was supposed to be a woman by the name of Mariah. When their mother died, the little boys of the family were taken back to the States by white relatives and were therefore unknown to later members of the Gunter fam-

¹¹ Robert E. Blackstone was a son of Robert D. Blackstone, a white man and Louisa (England) Blackstone, a Cherokee. The father had come to Webbers Falls after the Civil War and had become a well-known merchant of the town. His son also was a merchant. He married Sally Jennings, the beautiful daughter of George Jennings, one of the most prominent families of the Cherokee families West in the area.

¹² Gilcrease Institute, Drew Papers, Folder 231.

¹³ The following material is from Miss Mottie Dodson, Muskogee, granddaughter of John O. Cobb.

ily—a fact that was to weigh heavily against her, as can be seen by later events. This was the branch of the family from which Mrs. J. O. Cobb was descended. Starling Gunter had a daughter by the name of Sarah T. Gunter. Sarah Gunter married Robert Moffett. They became the parents of Martha, wife of Dr. S. H. Payne; Sara J., wife of Dr. Moses Bell, and Eudora A. Moffett, wife of John O. Cobb. According to the family, these children were one-sixteenth Cherokee.

The forbears of Mrs. Cobb were said to visit their Indian kinfolk but would then return to the States. When the Indians moved to the West, the white members of the family lost sight of them.

On October 13, 1871, after Mr. J. O. Cobb had been admitted to citizenship in the Cherokee nation, he bought an improvement consisting of a house, farm and appurtenances from Richard Crossland, paying him one thousand seven-hundred dollars.¹⁴

That they were accepted as members of the Cherokee nation was shown by the fact that they were issued a certificate by D. W. Lipe, treasurer of the Cherokee nation. Another certificate dated October 9, 1877, by D. W. Bushyhead, treasurer of the Cherokee nation, was issued after he complied with all the laws of the nation. A permit to trade was not required by the authorities, as he was then a member of the Cherokee Nation by reason of his marriage.

The fact that Mrs. Cobb could not prove her citizenship in the Cherokee nation, later caused her to be called an intruder, and this made her husband J. O. Cobb also an intruder. Their home was seized and sold for a paltry sum. The descendants were told that the Indians could not stand to see white men gain such prosperity in their country and used this as an excuse to oust him.

Samuel S. Cobb, having married a daughter of Joseph Vann, was in a different position, and nothing could be done about him.

Mr. J. O. Cobb was so incensed that he moved from Webbers Falls, going first to live at Fort Gibson. They later moved to Claremore.

After he left, Samuel S. Cobb and Thomas Hutton remained

¹⁴ Richard Crossland, born about 1832 was the son of John Crossland, one of the Cherokees West.



EUDORA MOFFETT COBB



JOHN OLIVER COBB

Eudora Moffett Cobb was said to be a descendant of the Gunter family of the Cherokee Nation. She married John Oliver Cobb in Sequoyah District, Cherokee Nation, on May 14, 1869. Both photographs are in the Mattie Dodson Collection.

in business at Webbers Falls until 1881, their firm known as Cobb and Hutton. At that time they went to the outlet lands where they were with the syndicate that leased the Cherokee outlet from the Cherokee for cattle range.

Mr. John O. Cobb took the case to the Supreme Court of the United States twice to try to prove his wife's citizenship as a Cherokee. He was in the position, however, that the case was not decided in the United States court as the court felt it was a case of Indian against Indian and would not rule in the matter. Since Mr. and Mrs. John O. Cobb had been declared intruders, they could not get the case tried in the Cherokee courts.

Mr. Cobb spent a vast amount of time and money trying to prove his wife's case and to get redress for his losses but was unable to do so. From the 238 page transcript of the appeal to the Supreme Court the following are taken:

—our improvements near Webber's Falls, in Canadian district, and which had cost us over \$3,000, were in 1878, sold by the sheriff of the district, as an improvement of an intruder for the paltry sum of \$600, and that in national tickets which were then at a discount of from 70 to 80 percent. (Note: This would actually make the property go for about \$120.00.) Our improvement being a valuable one and well improved was the only one sold of all the parties who are named in the acts of 1873 and 1888, and it was purchased by the party who we have no doubt instigated the act of 1877, and who, being too indolent to make a place for himself, might get for a mere song that which cost us our hard-earned money, labor and time. The fact that we had made this improvement only after our claim to citizenship had been decided in our favor by a court vested with final and conclusive jurisdiction, and we having protested against this so-called sale, seems to us both unjust and unwarranted, depriving us of that which we honestly acquired and in which we had invested our hard-earned means, confiscating at one swoop our investment, the fruits of our labor, and our home.

At the time our improvement was sold we were residing at Claremore, Cooweescoowee district, where we had opened a store and were doing a general mercantile business as a citizen. We applied to the national council in 1877, in compliance with the law, for a license, but it was refused us, and we were forced to close our store and abandon our business there.

In the meantime, there being no school located at Claremore, we erected a school-house at an expense to ourselves, and expended nearly \$200 on its erection and furniture, employed a teacher, and opened a neighborhood school; but soon after by an act of the council, a public school was established in the neighborhood, and our house was taken for the purpose of the public school, and our children refused the privilege of attending. We have been in this way constantly harassed and annoyed until it has become unbearable, and knowing that we have been unjustly proceeded against and robbed of our rights and our property, we feel that it is time that some action should be taken for our protection.

The former is from the complete letter of John O. Cobb in which he set out his marriage, citizenship hearing for fraud and the decision of 1877 declaring him (among others) an intruder.¹⁵

He then went on to set out the various facts of the contentions and asked that—steps be taken as early as possible leading to an investigation, and in the meantime “that an order to do issue to place us in possession of our improvements, situated and being in Canadian district, near Webber’s Falls, C. N., and which said improvement is now in possession of one Joseph Lynch; and your petitioners will ever pray.” This letter is signed by John O. Cobb and Eudora A. Cobb.

From a report of C. C. Duncan, U. S. Indian Inspector, it was said among other things:¹⁶

—A reference—to an opinion rendered January 22, 1889—shows that in the mind of the Attorney General when once properly admitted to citizenship by a court of competent jurisdiction this right could not afterwards be taken away without due process of law.

—On the part of the Cherokee nation it was claimed that Cobb, Payne and Bell acquired their citizenship by fraud and bribery, and in the fall of 1874 they were required to appear before ‘A special supreme court to answer to the complaint of the Cherokee nation on a charge of having obtained a right to Cherokee citizenship before the supreme court or national council through the influence of fraudulent testimony, and to show cause, if any, why the decision of the supreme court or national council should not be reversed.’

—Nothing seems to have come of this trial, and we find by act of council December 7th, 1877, that John O. Cobb et al are intruders and requiring the chief to remove. This bill was introduced (see Senate Bill 57, page 134) by Joe Lynch, then a member of the senate. Amendment offered by Mr. Hanks to allow the intruders to sell their improvements, lost (Senate page 216). Shortly after the passage of this bill we find Joe Lynch selling the property of Cobb, the sheriff being too drunk to cry the property, and Lynch takes his place, cries the property, makes one bid, raises the bid, knocks it off to himself at \$600.00, to be paid in scrip worth 25 cents of the dollar, and under this proceeding oust Cobb, takes place of property worth \$5,000.00, and his (Lynch’s) widow is now in possession of the place. It being admitted that these parties were legally deprived of this right, and are now citizens of the Cherokee nation, and in view of the peculiar circumstances of this case, if in the power of the department, I think Cobb should have his property restored to him. He, claiming to be a Cherokee citizen, cannot sue in the United States court, and the Cherokee nation holding that he is not a citizen of the Cherokee nation, he cannot sue in the Cherokee courts; hence he has a right without remedy.—

C. C. Duncan,
U. S. I. Insp’r

¹⁵ From: Supreme Court of the United States, October Term, 1898, No. 436, John O. Cobb, Henry C. Cobb, James S. Dodson, et al, Appellants and Plaintiffs in Error *vs.* the Cherokee Nation, Appeal from and in error to the United States Court in the Indian Territory, p. 49.

¹⁶ *Ibid.*, from “Report of C. C. Duncan, U. S. I. Inspector,” to whom this case was referred by the Department of the Interior, June 30, 1892.

From an opinion by Robert L. Owen, U. S. Indian Agent in September, 1886,¹⁷ he stated his opinion after outlining information set out in the above that the testimony of John O. Cobb's witness had been obtained by the bribery of a dress pattern given to Mrs. Pigeon, and that Mrs. Ann Hayes, sister of Judge Sam Adair, swore the claimants were Cherokee by blood, and told her brother with a laugh, "My God, Sam, I needed money."

These things, together with the fact that the other members of the Gunter family did not know them, nor know of them, influenced the families to be declared intruders, in spite of the statement in the summation of the case to the Department of the Interior by C. C. Duncan, that

—On the trial of this case (Note: before a special supreme court of the Cherokee Nation in the fall of 1874) it appears from the testimony and record that Judge Keys presided and required that the persons cited to present their cases and submit proof going to show that they were entitled to citizenship. The only question that could have been considered, "Did they obtain their citizenship or the judgment of the court by fraud or bribery" was hardly considered, and no evidence submitted except hear say and negative testimony."

Robert L. Owen, stated in his final summation:

In my opinion, fraud has been clearly shown against John O. Cobb et al, in securing these cases; but even if fraud had not been shown, it is to be observed that the claimants had never been re-admitted, as contemplated under the constitution, by act of the Cherokee nation council, and even their enrollment was set aside as fraudulent.—

—There is a law now on the statute books declaring John O. Cobb an intruder, and such a severe public sentence has but once been recorded in the annals of the Cherokee nation; that in this identical case.

I have the honor to request that this legitimate and proper demand of the Cherokee nation, as expressed by this action of their national council in both branches and by their principal chief, be granted.

With sentiments of sincere respect and regard, I am your obedient servant.

Rob't L. Owen
U. S. Indian Agent
Per D. M. Wisdom
Chief Clerk.

J. A. Scales was at one time attorney for Mr. Cobb. He said under cross examination that he had no part in getting up the testimony and that he did not know that Mr. Cobb had any knowledge of any fact connected with Pigeon's testimony.¹⁸

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*, p. 93.

D. W. Bushyhead¹⁹ in testifying for the nation stated that he heard Jennie Pigeon state that she had signed a paper for \$30.00 all of which had not been paid; that it was supposed to have been the paper in defense of the Payne case.

Wm. P. Ross, testified that:²⁰ He knew of no such previous marriage of the old John Gunter and that he was intimately acquainted with the family but upon cross examination he stated that there might have been previous Gunters before he knew the family at Gunters Landing, in the old Nation.

The letter of T. J. Morgan, Commissioner,²¹ states that it was not shown that fraud was established, and that the court in 1873 had ignored the question, and that the nation had failed to establish fraud; that Mr. Cobb had been a citizen since 1871 and that the rights of his wife, through whom he claimed, were left unaffected. Wm. Morgan continued:

—With this end in view, therefore, I have the honor to recommend that the Cherokee authorities be notified that they must place Mr. Cobb in possession of the property taken from him within a reasonable time or pay him the full value thereof, with the understanding that in the event of their failure to do so Congress will be asked at its next session to appropriate a sufficient sum out of the Cherokee funds now in the hands of the United States to compensate Mr. Cobb for the said property; together with such damages that may have been sustained by him by reason of its confiscation.

Nothing was ever done about the matter, neither the Cherokee government, nor the government of the United States, gave either money or satisfaction to the members of the family so deprived of their property, and of their citizenship in the Cherokee nation.

Mr. Cobb sued Mrs. Susan Lynch for \$11,000 in 1895. Nothing came of this matter either, and the J. O. Cobb family, having at last lost all their holdings in the Cherokee Nation, moved to Muskogee.

A letter from a descendant follows:²²

—I remember my mother telling me that “they came and burned down the house.” Presumably Mr. Lynch and his friends. I feel sure grandfather then moved his family away from the Falls.

—As you can see by this transcript my kin the Paynes, were ruled

²⁰ *Ibid.*, p. 85.

²¹ *Ibid.*, pp. 44, 180.

²² Letter from Miss Mottie Dodson, Muskogee to the writer of this article, dated October 6, 1963.

out too in this court decision. The idea was to discredit the claim (of blood) by the Moffett family.

I have been told that members of the family—collateral relatives—were told that it cost \$75 per person to enroll. Some could not afford that plus the trip from Arkansas to Muskogee to enroll so they did not get themselves & children on the rolls.”

From another letter the following is taken: ²³

My grandfather was Scottish-Irish and he fought this case on principle as his wife, Eudora, was one-sixteenth Cherokee and he did not think that Mr. Lynch and his friends should deny her her Indian rights on account of any dislike for or animosity against her husband. Besides the transcript, what I know about this affair was told to me by my mother. She was born at the Falls, on what, I presume became the Lynch farm since I was told that Mr. Lynch somehow got hold of my grandfather's land there.

—So far as I know my grandfather got nothing out of the Cherokee Nation or the Lynches. He took the money loss better than he did the repudiation of his wife's honest inheritance. He felt that she was done a grave injustice. Other than what is in this transcript, what I know about it was told me by my gentle mother. “She was a gentle person. So was my grandfather. She and he were slow to anger and kind but they had a strong sense of justice.

She told me that Mr. Lynch never liked my grandfather. For what reason I don't know except Mama said Mr. Lynch was disgruntled over my grandfather's success down there as a farmer and cattle raiser. That he did not like to see a white man come in there and prosper so well.

—Years ago I got Starling Gunter's army record from the archives in Washington. The testimony that he served in the war of 1812 was true. He was a lieutenant. We have done some research in Tenn. and it is possible that Starling or Sterling Gunter was Sarah T. Gunter's grandfather and not her father. As you no doubt know records before the census of 1850 were scarce and so many destroyed in the Civil War.

Mrs. Eudora Cobb died in May, 1881, still unjustified in her claim as a Cherokee citizen. This is one of the strangest stories of the turbulent period following the Civil War. The case really was never fully decided upon, for as set out in the story, Mr. Cobb had no redress either as a white man or as a Cherokee citizen by marriage. To the Cherokee court he was a white man, and to the U. S. Supreme Court he was an Indian citizen. No redress was possible for him from either.

Were the Cobb families intruders, or was a real injustice done them?

APPENDIX

Note: All of the following original documents and data are in the possession of the Miss Artie Cobb and her brother, S. A. Cobb, Vinita, Oklahoma.

²³ *Ibid.*, September 18, 1963, and October 22, 1963.

**A - SURETIES FOR THE FIRM
OF
SAMUEL S. COBB, JOHN O. COBB AND THOMAS
HUTTON — WEBBER'S FALLS, I. T.**

- 1869 — Surety of Samuel S. Cobb, John O. Cobb and Thomas S. Hutton: J. K. Clingan, W. S. McGauhey, and James J. Kelley.
- 1870 — Surety for Samuel S. Cobb, John O. Cobb and Thomas S. Hutton: Calvin J. Hanks, J. L. McCorkle and Johnson Foreman.
- 1871 — The firm name was changed to Cobb and Hutton. Surety: Calvin J. Hanks and William Chote.
- 1872 — Missing.
- 1873 — Surety for Cobb and Hutton: William Chote and Calvin J. Hanks.
- 1874 — Surety for Cobb and Hutton: Calvin J. Hanks and Tehee B. Foreman.
- 1875 — Surety: James A. Patterson and A. W. Robb.
- 1876 — Surety: James A. Patterson and Andrew W. Robb, Muscogee, I. T.
- 1877 — Missing.
- 1878 — Surety: James A. Patterson of Muscogee, Creek Nation, Indian Territory, and Calvin J. Hanks, Webbers Falls, Canadian District, Cherokee Nation, Indian Territory.²⁴
- 1879 — Bond was raised from \$5,000 to \$10,000. Surety: Edward Martin and Josiah Alkire. Employees: John H. Eiffert, Joseph Hicks, as clerks and Burtée Vann, as teamster.
- 1880 — Surety: John Rex and Edward Martin. Employees: John H. Eiffert, Joseph Hicks as clerks, and Burtée Vann as teamster.

**B - FAMILIES
SAMUEL SYLVESTER COBB**

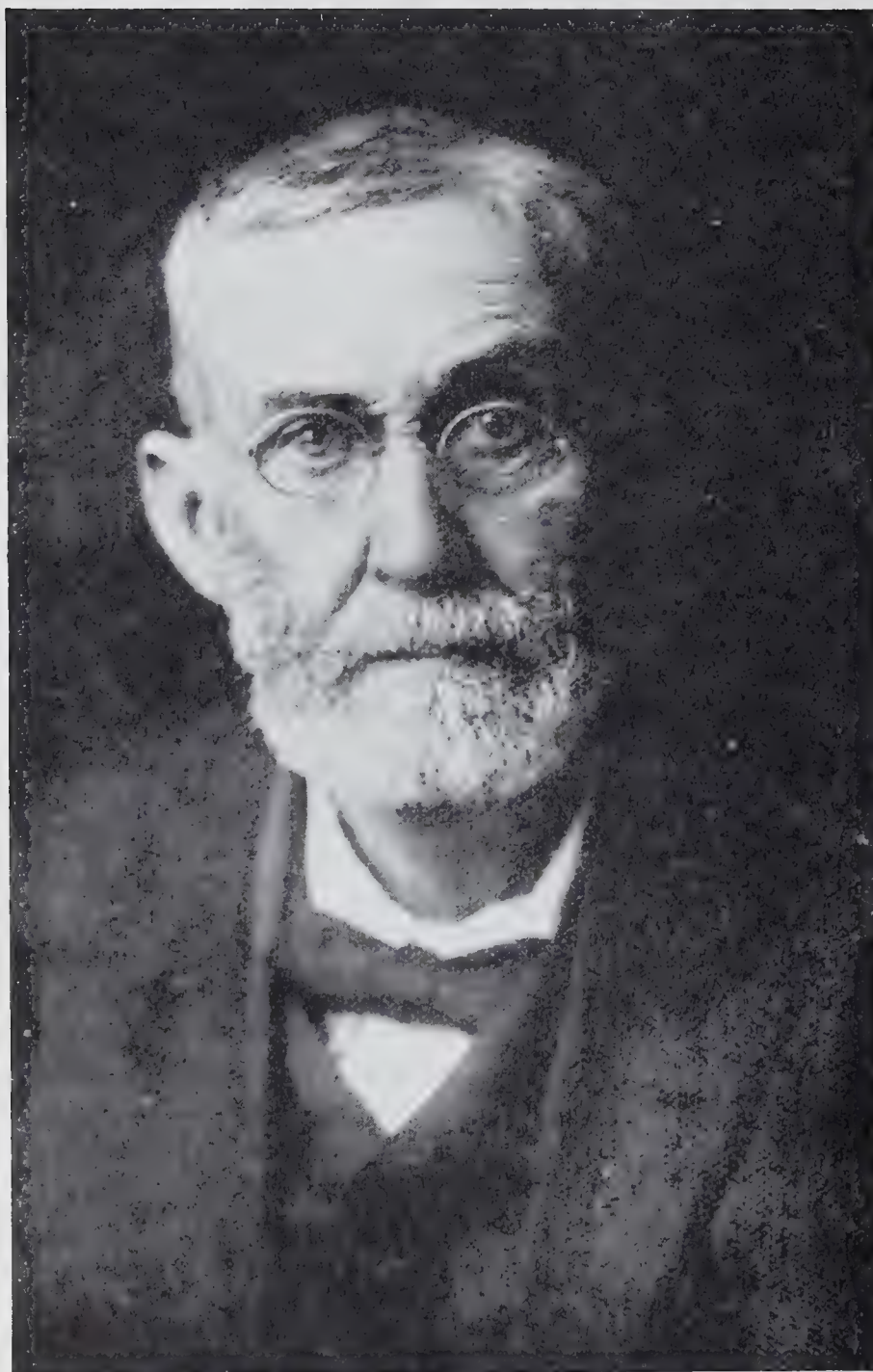
Samuel Sylvester Cobb, while living in Webbers Falls, met and married Ellen Vore, daughter of Israel Vore, and granddaughter of "Rich Joe" Vann. They were married Oct. 29, 1883 at Webbers Falls, I. T.

They had five children, as follows: Arite, S. A., Clarice, Hutton and Mary. Mary died in 1918.

After Mr. Cobb left Webbers Falls in 1881, he went into the cattle business in the Cherokee strip. He was with the syndicate that leased the Cherokee strip from the government for cattle grazing. In 1887, Mr. Cobb was also in business in Lewisville, Texas with H. C. Cobb, another brother. They were dealers in general merchandise and farm machinery.

Headquarters for the cattlemen was at Caldwell, Kansas. Cobb and Hutton dissolved partnership when their lease ran out and Mr. Hutton went to Kansas City with a commission house. First with Evans, Hutton and Hunter, then their successor, Strahorn, Hutton and Evans. Mr. Hutton remained with the commission house until his death which was caused by a heart attack.

²⁴ The list of employees for the year of 1878, for the above firm were: Peter Saunders as teamster, and Chillio Morgan, a Creek Indian, as herder.



(Original photo in Clarice Cobb Collection)

SAMUEL SYLVESTER COBB

Mr. S. S. Cobb went to Vinita and bought 1000 head of cattle from the strip in 1888. He went into the mercantile and grocery business in Vinita with the late G. B. McGleasson, and purchased his first farm on Cabin Creek. He purchased land where Eastern Oklahoma Hospital now stands and sold it to the state in 1909. His ranch and stock farm was where the hospital now stands. It contained about 3000 acres of land. Mr. Cobb was instrumental in establishing the First National Bank and served as its president in 1892 for a short time. In 1890, he also built the Cobb Hotel. He died June 11th, 1923. Mrs. Cobb died August 29, 1941. Both died at Vinita, Oklahoma.

C - FAMILIES ²⁵

JOHN O. COBB

John C. Cobb and Eudora A. (Moffett) Cobb were married May 15, 1869 and had the following children: Henry C. Cobb, born Nov. 4, 1871; Lillie M. Cobb, born March 2, 1873, (Married Jame Dodson,) Mattie B. Cobb, who married J. B. McCaffrey; Eudora A. Cobb, who married A. Sondheimer, the fur trader's son, as mentioned in the main story, and Bell, born May 9, 1876 and died the following year.

Mr. J. O. Cobb, after moving to Muskogee opened the first drugstore there.

Mrs. Eudora Cobb died May 30, 1881. In 1892, Mr. Cobb married Mrs. Christina C. Thomas of Muscogee, I. T. He died Dec. 30, 1902.

²⁵ This is the family whose property was seized because they were declared intruders when Mrs. Eudora A. Cobb could not prove her claim to citizenship to the Cherokee Nation. The family descendants still feel that they have a Cherokee claim through Mrs. Cobb, since she had been accepted as such for so many years. The descendants feel that it was envy only that caused the seizure, as John O. Cobb had, through his own industry, built a home and a profitable business on the location where they lived.



THLE WARLE
SAPK
COKO
Erected about 1870
Established from
Lokoma

LITTLE WYNN
HARRIS WILEY
AND ARMA
FAMILIES

ORIGINAL CAMP SITES

ORANGE HARRIS
JIMMIE DALLIN
JOHN HARRIS AND
HIS WIFE AND
FAMILY

ANDY FIFE
LUNSEN HEST
WILLIAM RILEY
AND LOONEY
HARRIS
FAMILIES

OLD CHURCH
HOUSE

TURNER SCOTT
LINDEN SCOTT
AND WASHINGTON
RILEY
FAMILIES

ELLY GREEN
AND
FAMILY
AND
FAMILY

(Drawing by J. Fife)

THE OLD THLEWARLE CHURCH
Erected about 1870

BAPTIST INDIAN CHURCH: THLEWARLE MEKKO SAPKV COKO

*By Sharon A. Fife**

The large part of the Creek Indians came into Oklahoma from their former homelands about 1836. Shortly after their arrival they began establishing their churches. Thlewarle Indian Baptist Church was established approximately three miles north-east of present Dustin, Oklahoma—formerly Spokogee Township, Indian Territory.¹ It is in a rural, wooded area on church owned property. The first Thlewarle Mekko Sapkv Coko (House of Prayer) was built in 1870. However, the Indians of this community had been having church meetings since 1858. Before the original church house was built, services were held under a brush arbor. At times, an old white man in the community would invite the Creeks to hold services in his large living room, although he was not a Christian himself.²

Families began building camp houses around the church as soon as it was possible. All but three houses have since been rebuilt, yet these are in very good condition. Several camps have been added.

Before the camp houses were built, the people would come to church in wagons and bring tents, or walk and carry their necessities. Even during a blizzard most of the congregation would come. They would bring a bale of hay for the horses and another for beds. Feather beds were thrown over the hay, and blankets were used for warmth yet some say it was never very cold inside the tents.

At present there are eleven family camp houses that surround the church house. These camps are equipped with electricity, stoves, cabinets, dishes, cooking utensils, silverware, tables,

*Miss Sharon A. Fife is a graduate of Chilocco Indian Agricultural School in Oklahoma (1961) and received her B.A. degree in English from Oklahoma State University in 1965. In her study for the M.A. degree, she attended Colorado University, and has just (1970) completed a year at Central State College, Edmond, Oklahoma, where she researched and prepared this article on the old Thlewarle Indian Baptist Church.

¹ The Thlewarle Indian Baptist Church is on the south line in present Okfuskee County, in Sec. 35, T 10N, R 15 East. This was formerly in the Creek Nation, Indian Territory.

² Mr. James and Carmen (Griffin) Fife of Dustin (Sharon's parents) were informants on the history of the people and the relics in the Thlewarle Indian Church.

benches, chairs, ice boxes or refrigerators, sofas, beds, and other necessities. The camps resemble regular houses, and may be lived in at any time needed. Nearly all the houses have their own water well nearby. They were built for the convenience of the families who lived long distances away at a time when transportation was not too convenient. Their main purpose is for use when the church services lasted all weekend. During the Sunday meetings the owners of the camps serve dinner and supper to all the visitors. This food is brought and prepared by the women of the camps. They take care of all the expenses themselves. Some of the camps have several families within them so expenses are divided. Sometimes as many as 36 to 40 people are fed at one meal. Most camps serve over 50 people a day. Some of the visiting women wash a few dishes in return for the meal, but most of the work is done by the women and girls of the owners' families.

In 1914 Thlewarle was rebuilt. The old church was not torn down until 1959.³ It was built—as is traditional for all Creek churches—facing east. It is believed that when Hesaketumese (Christ) comes, he will come from the east with the sunrise. One very different thing about Thlewarle is that there is no sign of a cross on or inside the church house.

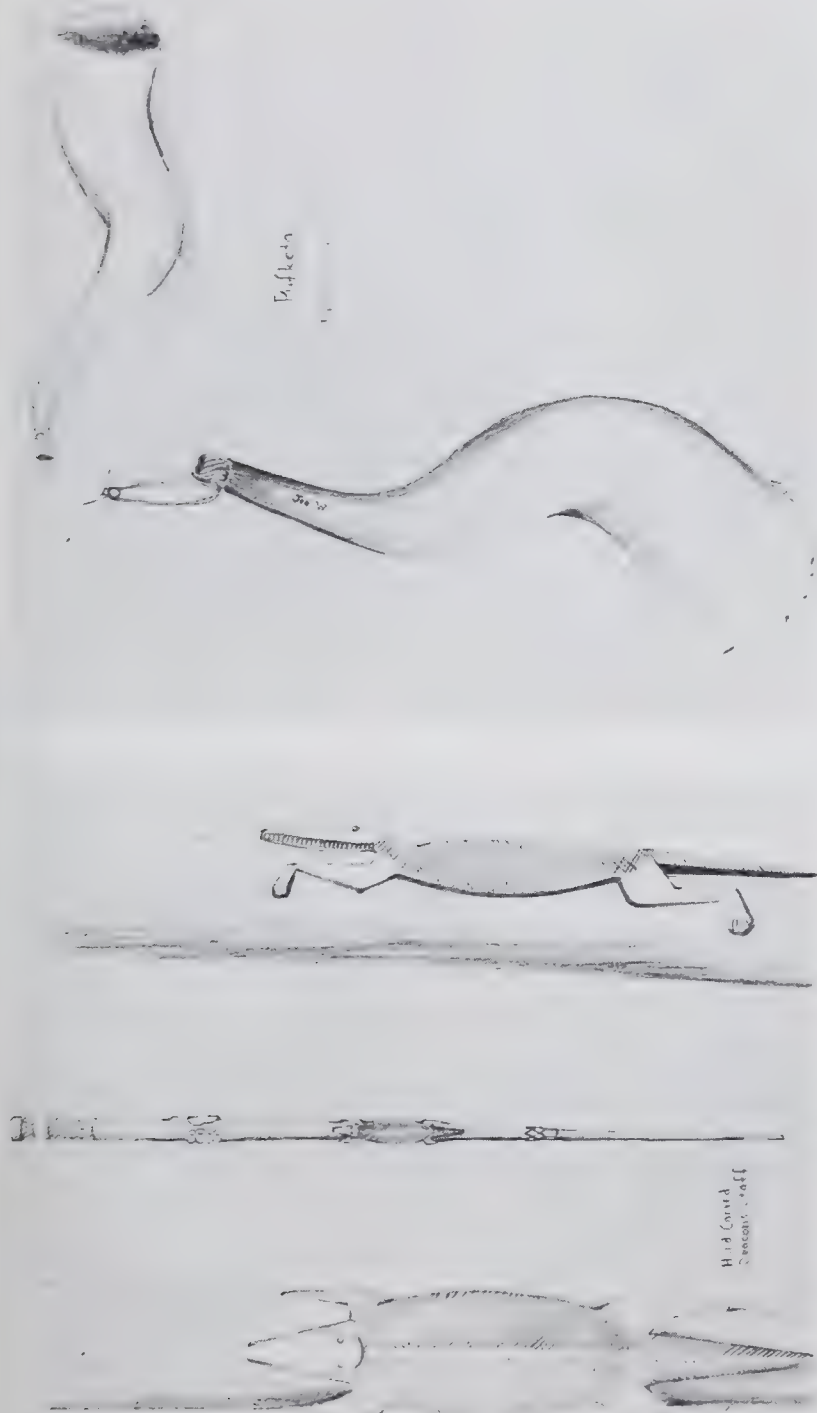
When Thlewarle was rebuilt, the old relics and procedures were carried over to be used in the new church.⁴ The relics—the deacons' staffs and the horn are of great symbolic value to the church. Definite procedures are carried out during all ceremonies at the church, and they are maintained by the church leaders. The purpose of the relics and the duties of the church leaders must be presented before the ceremonies are introduced.

When a deacon is ordained, he is given a staff. He keeps his

³ All illustrations in this article are prints of the original drawings by Jimmie Carole Fife, a sister of Sharon, and daughter of Mr. James and Carmen (Griffin) Fife. This young artist has her B. A. degree in Fine Arts from Oklahoma State University (1963). She is now a teacher in the public schools at Dustin, Oklahoma. She has continued graduate work in art and her paintings have been shown in well-known Indian Art Exhibits in Oklahoma, New Mexico and Arizona.

⁴ The principal informant on the procedures of Thlewarle Mekko Sapkv Coko and the symbolism of its relics was the late Josiah Barney Looney. He was born at Bryant, Okmulgee County, Oklahoma, May 20, 1920, the son of the late Reverend Barney and Winey (Riley) Looney. Josiah was a veteran of World War II. He was chosen at Arbeka Indian Church before he transferred his membership and became a deacon at Thlewarle Indian Church. He and his wife, Lela (daughter of the Reverend Edmund and Jeanetta (Lowe) Whitlow) had three children, Charles, Kathleen and Barton.

(Drawings by J. Fife)



PUFKETA—"THE HORN"

The Horn is blown by a deacon to call the congregation together.

DEACON'S STAFF Hand carved reptile figure—alligator

staff until he is removed from his duties. The staffs are never replaced, but are handed down from deacon to deacon. Three of the staffs were hand carved by their original owners. One staff, carved with a raised design on the handle, was carved by a man who walked over fifteen miles to church in order to donate it at a Sunday service. Mr. Joe Watson (1850-1914) carved a staff with a reptile design. The third was carved with the design of a monkey's head by a man who cannot be recalled. The other four staffs resemble commercial walking canes.

A deacon uses his staff for many duties. It may be used as a pointer during usher duties. Also, it may be used during a baptism to assist a pastor. After one has been lowered into the water, the deacon may place the crook of his staff around the person's neck and assist the pastor in lifting him from the water. This is the way the shepherds helped their lambs in distress. If one had fallen into a hole or a ditch out of reach, the shepherd would reach down and hook the animal around the neck or stomach and pull it up. To a deacon, the staff is an object of strength and consolation. It is something to lean on if anything should go wrong. The staff is an object of support.

A deacon may not touch a person with the tip of the staff. This could bring bodily harm, embarrassment, or could knock the breath out of the person it touches. If he does touch a person with his staff, he must do so by laying the side of his staff against the arm of the person he is touching. Nor can a deacon lay his staff flat on the ground. It must always be tilted with one end off the ground. When not in use a staff must always lean against something, even if it must be against the deacon's foot.

When the congregation is called into church for services, a horn is always used. The one at Thlewarle is made from the horn of a long-horned steer. It was donated to the church by Mr. Joe Watson, carver of the reptile designed staff. It is not known exactly when he donated these items.

Before it is time for the services to start, the head deacon appoints one of the other deacons to blow the horn. It is used for two calls, and at each call it is blown four times. The first call is for everyone to prepare for the service. The second call is for the starting of the service. It is also blown at midnight each December 31 to welcome the New Year.

During the services, it is the custom for the men to sit on the

south side of the church and the women to sit on the north side. The explanation given by the members is from the Bible which says that men and women should be divided.

The seating arrangement in the church is as follows. The pastor is seated behind the pulpit. All preachers attending are seated at the front wall of the church. The Christian men sit on the south side of the church and the Christian women on the north. The class leaders sit in the first seven chairs from the pulpit on the women's side. On the fourth and eighth Sundays, the head deacon and the visiting deacon sit in a long chair in front of the pulpit. The head deacon sits in this chair at all meetings.⁵ The back rows of the church are for the visitors and members.

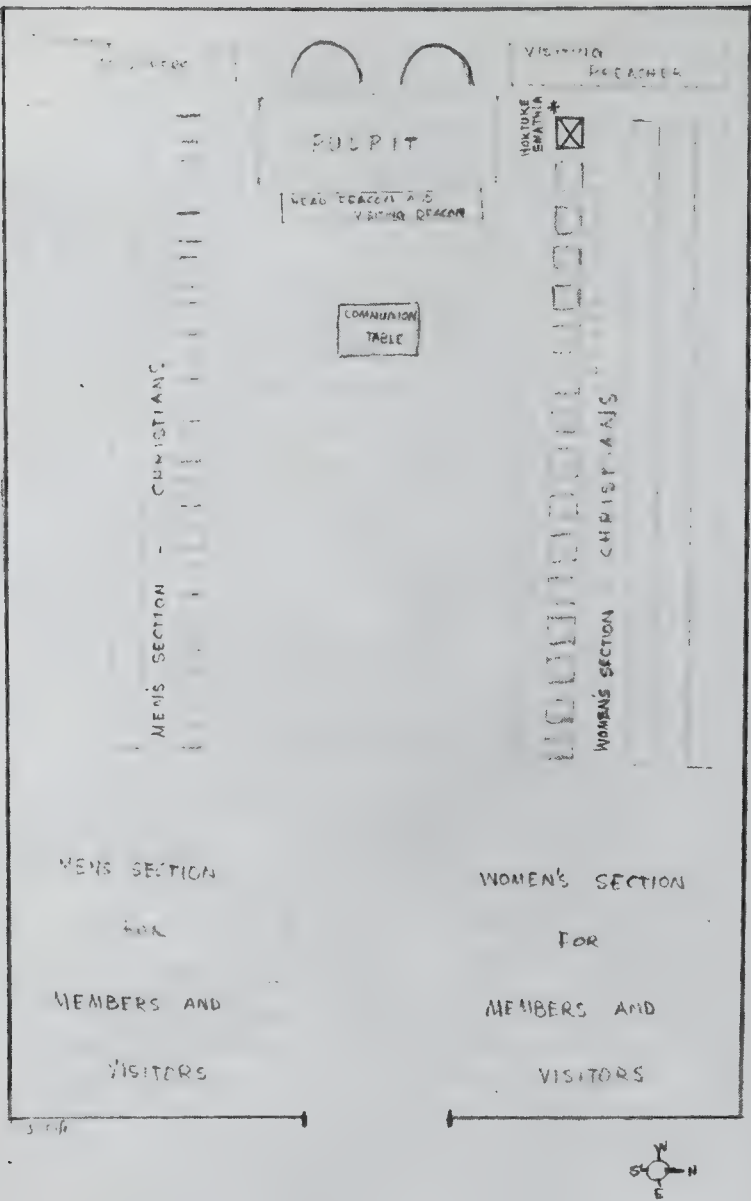
There is a definite hierarchy within the church which can be determined by the seating arrangement. It goes in this way: pastor, preachers, licensed minister, deacons, and the class leaders. The descriptions of the positions begin with the class leaders and ascend to the pastor.

The women play a very important part as class leaders in the reinforcement of the stability of the church. There are seven class leaders who are the older and more experienced women of the church. Of these women, the oldest is the head. She sits in the chair nearest the pastor's pulpit. The head class leader is equal to the head deacon. Her permission must be given before many procedures concerning the church are possible. She is called *Hoktuke Emathla*-First Lady of the Church.

The most important job of *Hoktuke Emathla* is to make the Communion bread. This is made before sunrise, before the birds sing or other creatures stir. All must be still while the bread is being made. While she is making bread, she must be praying. If she does not, the bread will tell on her. If the two preachers presiding over the Communion have not been good, the bread will tell on them. This is the miracle of Communion.

On Saturday night before Communion, the women go into the woods to pray. The class leaders talk to and advise the women who want to join the church. They pray for *Hoktuke Emathla* before she makes the Communion bread. Four times they sing and pray before they return from the woods. While they are there, no one but the class leaders may talk.

⁵ In 1919 this chair was donated to the church by the Reverend Sunday Fife.



* HARRY EMMETT 1st Lady of the Church

(Drawing by J. Fife)

**THE NEW THLEWARLE CHURCH
SEATING ARRANGEMENT**

The diagram shows position of the new church relating to the old church and of surrounding camp houses with the names of owner's—members of the congregation.

There are seven appointed deacons in the church. They help with the Communion service, take up collections and usher. They mainly keep order within the church. These men are not chosen according to age as the class leaders are. They must have a thorough knowledge of the church, and be responsible for a wide variety of duties. Most duties of the deacons are mentioned throughout this text and are not classified here.

The licensed minister is a novice chosen by the congregation. One day the pastor may tell the church body that a new preacher is needed. He asks the congregation to try to find a man suitable for this job. The people go out and fast and pray and look for a sign in a dream or some spiritual way. On the eighth Sunday, the pastor asks the congregation if they have found a preacher. If not, they must go out to search again. The following eighth Sunday, he will ask again. This is done until a preacher is found. The selection is usually made among the deacons. When a man is found who is thought to be suitable for the job, he is made a licensed minister.

A licensed minister is trained by the pastor. He may practice his sermons only in his home. The pastor listens, teaches, and encourages him. When he is proficient, he then goes to preach at his church. Other churches are notified, and he is invited elsewhere to preach. Meanwhile, the church members determine his worth. He must prove himself over a period of many months, and if all are satisfied, he becomes a preacher. Although a preacher or pastor may officiate over Communion, a licensed minister cannot. A licensed minister is the person who tells the congregation that a lost soul is wanting to join the church. He also acts as an advisor to the church members.

The work of the preacher is to preach for lost sinners. The church must have a preacher at all times. If a preacher is at fault, he will be dismissed from his duties, and a preacher from another church presides until this place can be filled. Sometimes a preacher's position cannot be filled for several months. The last preacher replaced at Thlewarle had shirked his church responsibilities and began attending stomp dances. Since stomp dances are a form of religion themselves, they do not cohere with Christianity.

The pastor of the church is the superintendent of the spirit. He is chosen in much the same way as a preacher. When he is chosen, he must go into the woods and fast many days in order to become close to the spirit. One pastor fasted for a week before

returning. It is he who holds the flock in church and controls the church. A pastor remains at this job until he dies, unless he has faults and is removed.

The pastor and preacher are not on a payroll, nor do they retire. They are concerned with the present, and must take care of their people. When collections are taken, they usually receive part of the money—if they are old, sick, or disabled. If they have jobs and are self-supporting, they get nothing. The collections are small. The average amount given to a pastor or preacher is about five dollars. These men will never ask for money from the congregation but will accept a gift given from them. Pastors feel that they do not have to be paid for something that will give them a greater reward in the end.

Church services at Thlewarle are held in the Creek language. Creek bibles and song books are used during the services. Usually the preacher's voice can be heard fairly well at a distance. When the congregation sings, they seem to reach an ecstatic state of being, and their beautiful songs can be heard within a radius of a mile or more. A musical instrument is not used.

When non-Creek speaking visitors are present, the sermon is sometimes given partly in English. This is usually difficult since many of the older preachers rarely speak English, if at all. And when a preacher is fervently speaking on a subject such as the destruction of Sodom, the least thing he is interested in is a well chosen word in English. Some people may think it odd to hear Lot's wife referred to as "Old Lady Lot."

Church services are not held every Sunday at Thlewarle, but in four-week cycles. This gives the congregation an opportunity to visit other churches in the area. The meetings are called the fourth Sunday and the eighth Sunday. The fourth Sunday is the regular church meeting. On the eighth Sunday the Wine Drinking service is held. During the interval between the fourth and eighth Sundays, small weekly meetings are held.

The fourth Sunday meeting is held the fourth weekend after Communion service. The meeting actually begins on Friday evening and continues through Saturday. The services last until about ten or twelve o'clock each night. As day breaks on Sunday morning, the services commence. Sunrise is an important time for the beginning of vital ceremonies. Deacon Josiah Looney gave the reason: "Christ said, 'Look for me early in the morning.' When

we begin our rites at sunrise, we feel much closer to Christ." All members of the church fast until noon during the meetings.

After the morning service and before dinner is served, a collection is taken for the three treasuries and for the sick. As many preachers as possible have been invited to Thlewarle, and after dinner each takes his turn at the pulpit. The afternoon session lasts until about five o'clock before the congregation breaks for supper. After the evening meal services are held until midnight. In the days of teams and wagons, the congregation stayed over and had services again on Monday.

On Wednesday night of the fifth week and Thursday night of the sixth week Prayer Meetings are held. During this time a small business meeting is held whenever necessary. The treasury reports are given at the meetings. The Sister Treasury is used for the needs of the women or camps. If a camp is in need of new dishes or other items, this fund may be used in case of financial need. The Donation Treasury is used for paying utility bills and the upkeep of the church. The Church Treasury buys the Communion wine and other things the church needs.

The Friday night of the sixth week is Ladies Meeting. This is a day of fasting for the women. They begin from the time they arise until after the evening service. They fast for something that is spiritually desired, and are allowed to appoint the preacher for the day. Since it is their day, they are able to tell the men what to do—and they must do it. During the services the women are called upon to lead songs and pray. Sometimes the women lead songs in couples. This is done until all have participated, and then the men proceed to do the same. Usually, not many men attend.

After the prayers and songs are over, the pastor reads from the scriptures and gives the women words of encouragement and well wishing. The congregation lines up and shakes hands in fellowship, and services are dismissed for supper. The women prepare the food, then the preacher they have appointed for the day asks the blessing. There are no services after supper.

On Friday of the seventh week preparations begin for the Wine Drinking ceremony. The services last until midnight and then recess. Usually the church members go to one of the camp house kitchens for coffee and to visit.

Services are held all day Saturday. After the preacher de-

livers the evening service, he invites the backsliders and sinners to repent. This is Testimonial Night. If a Christian who has not been faithful to his religious activities and vows approaches to repent his sins, he must voice his wrong doings before the whole congregation. The church leaders deliberate over his case and pray for him. Later they have a general meeting at a designated time, and discuss whether he should yet be admitted back into the group of Christians. Some cases take long periods of time before there is unanimous approval from the leaders. If a person is unable to attend Testimonial Night, he may give his testimony at the eighth Sunday meeting. The Christians are not particularly interested in what a person has done, but *why* he has done it. If a person does not give his explanations, he does not take the wine. It will do him no good if he is unworthy.

At sunrise on the eighth Sunday, Hoktuke Emathla makes the Communion bread in her camp house. Church services start at dawn, and the church members fast until the noon meal. The afternoon service starts about two o'clock and lasts a couple of hours before a recess. After the short break the deacon blows the horn, and the congregation gathers for Wine Drinking.⁶

During the Last Supper, the Communion table is placed in the center of the church floor. Two preachers sit on the west side of the table and two deacons sit opposite on the east side. The pastor begins the service with a prayer and a song, then he reads from the Bible. While he takes the bread, all the Christians kneel in prayer and the other members bow their heads. When the pastor rises, the preacher on the left stands, breaks the bread, and hands a plate of it to each deacon. One deacon serves the Christian men and the other serves the Christian women. When this is finished, the preacher on the left hands the wine to the two deacons, and they follow the same procedure.

After the wine has been served, the preacher on the left gives the people encouragement for the religious life, and gives the pastor permission to make any announcements. Just before dismissal, the people make a circle and begin shaking hands in fellowship. The women shake hands first, and the men follow—all the while, they are singing. The preacher who officiated over the wine dismisses the service with a prayer.

After dismissal and before supper the two deacons officiating

⁶ The ceremony is generally referred to as Wine Drinking or Last Supper instead of Communion.

gather all the children together and let them take whatever bread and wine is left.

Thlewarle accepts any person desiring to be baptized. For a description of a Creek baptism, a young girl is used here as an example: When a girl expresses her desire to be baptized, the head class leader takes her outside and prays for her. She asks the girl whom she wishes to baptize her, and when she wishes it to be done. The girl is taken back into the church, and the class leader tells the pastor what she has decided. The announcement is made to the congregation.

The two main deacons are designated to look for the water. If the person desires to be baptized that day, the deacons begin looking for the water immediately. If the ceremony is to be the next morning, they will wait until sunrise. The water must be navel deep to the person being baptized. A stick is used to measure the depth, and when water is found of the prescribed depth, the stick is stuck into the creek bed as a marker. A piece of white linen is tied to the top of the stick. At Thlewarle, the people are always baptized in creeks or rivers because still or enclosed water will not cleanse a person's sins. It does not make much difference what season a person may want to be baptized. In 1965 the deacons had to chop through two inches of ice to clear a place to baptize a fifteen year old girl.

The whole congregation goes to the baptism. The creek that is generally used is about one-fourth mile into the woods down a hilly, rocky path. The church members walk four abreast into the woods to the water—two lines of men and two lines of women. The congregation stands on a high bank overlooking the water. The pastor, preachers, deacons, class leaders, and the young girl go to the lower bank.

A short service is held before the baptism. The class leaders then dress the girl. Four of the ladies hold up blankets to improvise a room for her. Three of the ladies help her change her clothes. A piece of white linen is tied around her head and waist as a symbol of purity. The class leaders then pray for the girl and advise her before she is taken to the water.

During the baptism, one of the deacons may assist the pastor. The remaining deacons usually are kneeling in prayer a few feet from the bank in the shallow water. After the baptism the deacons and class leaders usually walk into the water and shake hands with the new Christian. The girl is then brought out of the

water, and the class leaders change her clothes. A prayer and a song is again given for her, and the meeting at the water is dismissed.

Upon arrival at the church the girl is seated in the center of the church (in the location of the Communion table). She leads a song and a prayer. The pastor encourages her, and tells her what she can do or cannot do. The class leaders advise her. She is talked to as if she were a new-born baby starting a new life. From this time on she will take her place with the Christian women on their side of the church.

When a person has been baptized, the pastor will ask him in which church he desires membership. He may take his papers to any established church but not to a mission church. If a person wishes to have his name removed from the roll, he must come back to the church in person, distance disregarded, and give his reasons. A letter is never sent from Thlewarle with membership papers in it.

Services for the sick are an integral part of Thlewarle. If a person of the church is ill, the church members designate a date to go to that person's house. The meeting is held no longer than necessary in consideration for the sick. It is said that in the days when communication was not easy, people would still gather at a sick bed. If a person knew he was on his death bed, he usually desired to have the church members come and sing to him and pray for him. Although no one was told of his coming death, they seemed to sense it. One by one the church members would show up at the house of the sick person as if they knew that his death was near. They would usually hold services all night for that person before he died.

When a person dies, total respect is shown the dead person's body from the time he dies until he is in his grave house. The funeral is held the fourth day after death. On the third day the body is brought from the funeral home to the church. The congregation prays for the body. If the family of the deceased want to have all night services, they do. If not, family and friends stay up with the body all night.

During the four-day period, the family of the deceased rules the church. They may ask for any kind of service, and the church members will never refuse them.

On the fourth day the family places small containers of the



THE NEW THLEWARLE MEKKO SAKV COKO

- | | |
|-----------------------|---------------------------|
| 1 PEARLIE SCOTT | 6 ADA BROWN & SALLY BUNNY |
| 2 GAMES EVANS | 7 ENNA WEST |
| 3 WAYMOND DEERE | 8 JOHNNY GRAY |
| 4 JAMES & TAYLOR FIFE | 9 BESSIE WILEY |
| 5 JOE FIFE | 10 EDMOND WHITLOW |
| 11 DAN WATSON | |

(Drawing by J. Fife)

THE NEW THLEWARLE CHURCH
Erected in 1914

deceased's favorite food in the coffin. This is so that the spirit will come back, but will not bother anyone. The deceased is not buried with his shoes on, nor is he dressed in wool (because it is of the lamb). Bibles are not buried with the deceased because they cannot use them—Bibles are for the living. A grave house is built for the soul of the dead. This is a small house that fits over the grave. It has a small window at the head of the grave which is the west end. The grave house is considered to be the home of the dead, because without it he would have a home no more. When the grave houses become rotten or broken they cannot be replaced or repaired. The Creeks believe that the older the house becomes, the newer it will seem to the spirit. Age is an opposite thing in death.

One man is appointed to dig the grave and to build the grave house. He asks no one for help, but other men of the church may donate their services. The men have breakfast very early in the morning on the fourth day. The grave is dug at daybreak. The men pray before they labor and when they finish. Tobacco and cigarettes are presented to them. Young boys under twenty-one are not allowed to assist in the grave digging or house building.

On the morning of the fourth day one woman is appointed to oversee the food preparation. A short service is held that morning and at eleven o'clock dinner is served cafeteria style in the utility room or out-of-doors. The food is prepared by the ladies of the church camps, friends, and ladies of other churches. There is usually food enough to completely cover five tables measuring three by ten feet. Many of the dishes are Creek recipes: Sofkee, blue dumplings, grape dumplings, sour bread, and others.

At two o'clock the funeral service commences. The relatives are seated nearest the casket. After the eulogy has been read, a collection is taken for the family of the deceased, and the flower girls are named. The friends of the deceased file past the casket to view the body, and the congregation rises, singing. The distant relatives view the body next, and then the immediate family. It is understood that everyone who ever knew the deceased is expected to attend the funeral. The number in attendance depends on how well known the deceased was. Sometimes the line of viewers lasts over two hours before the family of the deceased is able to view.

When the body is taken to the family cemetery, the congregation follows for graveside rites. The pallbearers carrying the

body from the hearse to the grave change about every twenty feet. They must be careful not to tire while carrying a dead weight or it will make them sick. Before the casket is lowered into the grave, it is opened again for those who were not at the church funeral. The preacher reads a scripture, and a prayer is said for the body before the casket is closed. A blanket is put over the casket. It is lowered into the vault box, and the top is fastened to the box. While the casket is being lowered, the people sing "Illka Este," (Where Shall the Body Rest).

The grave diggers begin covering the grave after the song. They fill the grave until it reaches the top of the box. Two men (sometimes four, according to the number of people present) on each end of the grave then take their shovels and fill them with fresh dirt from the grave. The people file by and take a clod of dirt from the shovel and drop it into the grave for the "last handshake." Sometimes a clod lands where the dirt is spread thin and hits the vault box, and a lonely thud breaks the silence. The grave is filled by all men and friends of the family. The flowers are taken from the flower girls and placed on the grave. If a child is being buried, his favorite toys are placed on the grave. The grave house is placed over the grave, and the ceremony is ended with a song and a prayer. Everyone stays until the grave is completely covered and the house is put onto the grave. The body of the deceased is highly regarded until the last minute of its care.

When the graveside rites are over the pastor announces when the family "washing" will be. The rule is that if a person has been sick for a long while, the women will clean the house for the family and wash all the bedding, clothing, and other things used by the deceased. After this announcement the congregation returns to the church for a light supper.

After the grave has been covered and the grave house secured over the grave, the men in charge of the grave digging and house building take their tools to the creek. They say a prayer then lay the tools in the creek so that the water will run over them and cleanse death from them. Sometimes the tools are treated with Indian medicine.

If desired, the family of the deceased may take the same medicine before the funeral. It is sometimes given to nervous or fretful children. This is not a regular custom now.

Although the church seems closely knit, it has had its difficulties. At one time, many years ago, there was a falling out among

the church members, and all but three people quit coming to church. These were the Reverend and Mrs. Sunday Fife and a very, very, old woman, the Hoktuke Emathla. The three continued to come at the designated meetings times. Reverend Fife would preach to the two women as if the house were full. They would sing and pray together all weekend or whenever the meeting time was. They continued to come to church and have services for quite a while, and finally the church members began coming back to Thlewarle, one by one, until it was again filled.

Through all the years, the church has not changed much. The people come in cars now. One man still walks. They all assist each other wholeheartedly when they are in need of anything—whether it is woodchopping, collections or quilting. Prayer is still important before and after every ceremony from a quilting bee to a baptism or to building a grave house. Some of the women still wear long dresses, long aprons, and scarves around their heads. Some carry money tied in the corner of their handkerchief, and absolutely refuse to speak English in the presence of so many people that most of their acquaintances would swear they could not. Some of the men still wear blue overalls, workshirts, brogans, cowboy boots, or they may wear their best suits, invariably with the vest buttoned wrong. But these are the old people, and they will stay. And the next generation and the next generation will stay. But the younger people are moving away, and many cannot speak Creek. Someday, too soon, the church may have only three people in it again—or none.

Or, hopefully, it may not change much at all.

SANTOS FLORES:
A CASE OF MISTAKEN IDENTITY

By Roderick B. Patten*

A man who in 1843 was attempting to persuade the Indians of Oklahoma to turn against the young Republic of Texas was incorrectly identified as Manuel Flores by contemporary newspapers and later historians. He was actually Santos Flores, a former resident of San Antonio and an emissary of the Mexican government.

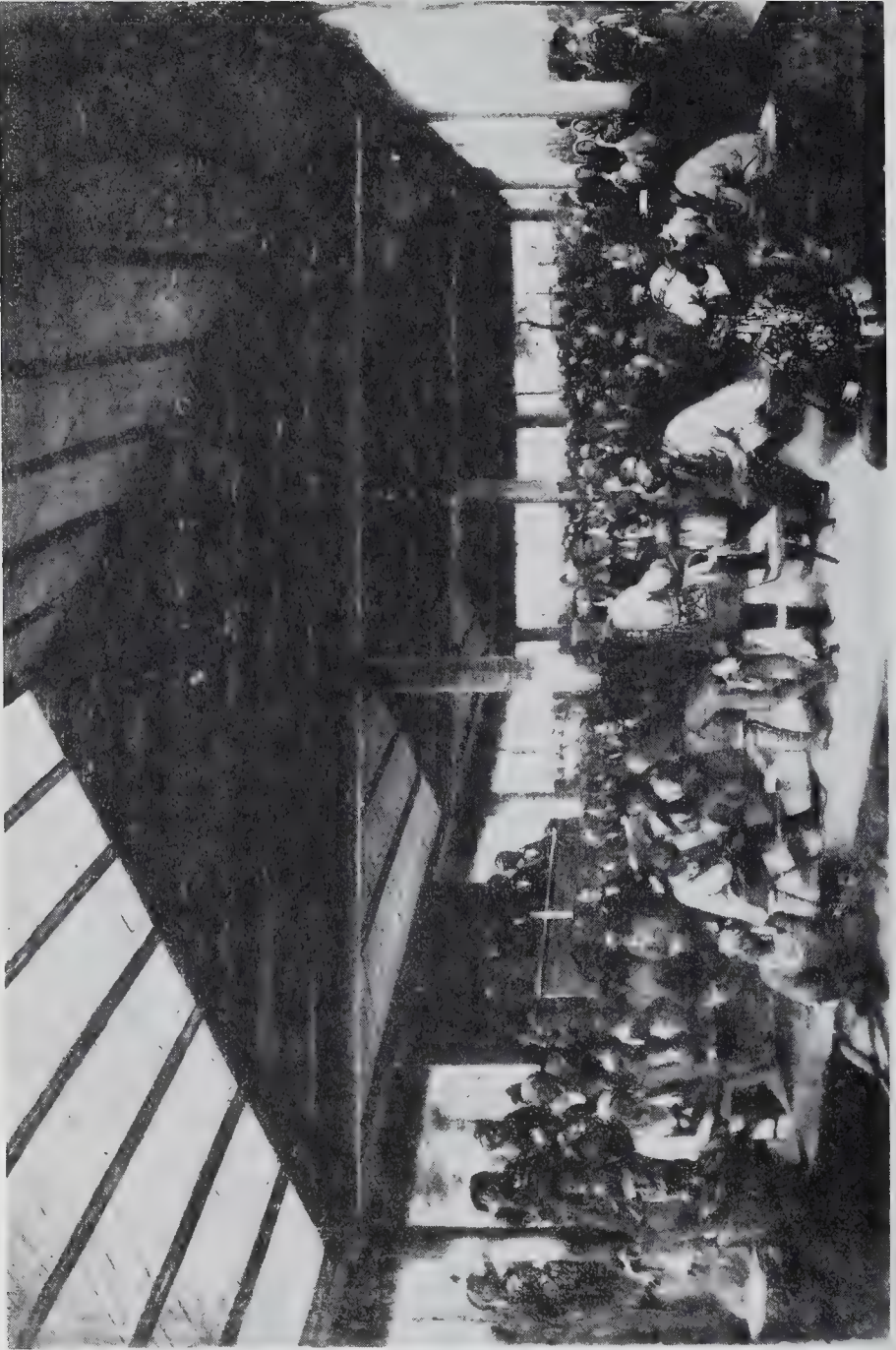
In the early 1840's Mexican emissaries were active among the Indians of the U. S. Indian Territory. In May of 1843, on the Little River in the vicinity of what is now Hughes County, Oklahoma, Santos Flores was arrested by the U. S. Creek Indian agent, James L. Dawson. Flores was interrogated and his papers were confiscated while he was kept under guard at a Creek village on the Canadian River. Dawson left him in the custody of the Creek chiefs, to be escorted by them to the Creek agency around June 3 when they made their journey to Tahlequah for the Grand Council that was to be held that month. Somehow, Flores managed to escape his Indian charges and he was heard of no more.¹

Among Santos Flores' papers was a copy of a circular that Valentin Canalizo, commanding general of the Mexican army at Matamoros, had written as a letter of introduction to the Indians of Texas on February 27, 1839, in which Manuel Flores was named as the principal commissioner of Indian affairs.² Manuel Flores had volunteered his services to the Mexican government at Matamoros and became an Indian agent with the responsibility of turning the Indians of Texas against the new Republic. His mission came to light when he was killed by Texas Rangers on the

*Roderick B. Patten has had articles on Texas history published in *Southwestern Historical Quarterly* (Austin) and in *Old West*.

¹ James L. Dawson, Creek Indian agent, to T. Hartley Crawford, Commissioner of Indian Affairs, May 25, 1843, Office of Indian Affairs, D798 (Social and Economic Records Division, National Archives, Washington); Dawson to Crawford, June 5, 1843, *ibid.*, D800. The noted artist, John Mix Stanley, painted the scene of the Intertribal Indian Council held at Tahlequah in June, 1843, during his visit among the Cherokees. A first-hand description of this council is given by Rev. Henry B. Benson in his book *Life Among the Choctaws* (Cleveland: 1860).

² A copy in the original Spanish made by Dawson on May 15, 1843, is in the General Records of the Department of State (Record Group 59) Miscellaneous Letters Series (Diplomatic, Legal, and Fiscal Records Division, National Archives, Washington).



(From painting by John Mix Stanley in Smithsonian Institution)

**INTERTRIBAL COUNCIL AT TAHLEQUAH
1843**

North San Gabriel River on May 17, 1839, and incriminating papers, including eight copies of Canalizo's circular, were found in his possession.³ Within a year there began to be speculation that Flores was not dead after all.⁴ Hence, although Dawson referred to his recent captive as "St. Flores" when reporting to the commissioner of Indian affairs, he also said that Flores was "well known to the Texans as their most active enemy."⁵ The Van Buren *Arkansas Intelligencer* went one step further and simply reported that the man who was arrested in the Creek country was none other than Manuel Flores.⁶ When the Houston papers learned of the incident from the *Intelligencer*, they reported: "It appears . . . that this emissary was the notorious Manuel Flores, formerly the associate of Cordova in the Mexican insurrection at Nacogdoches."⁷

Just how official the Mexican involvement was in the affair with the Indians to overthrow Texas has never been determined. It would appear that the scheme was the private effort of whomever was in charge at Matamoros. As the office was passed from one man to another, the Mexican-Indian plot was passed along with the other duties. As early as the summer of 1838 Vicente Filisola, General and Chief of Staff of the Army of the North at Matamoros, had appointed Manuel Flores to recruit the Indians

³ Edward Burlinson to Albert Sidney Johnston, Secretary of War, May 22, 1839, *Senate Executive Documents*, 32nd Cong., 2nd Sess. (Serial No. 660), Document No. 14, pp. 29-30; George P. Garrison (ed.), *Diplomatic Correspondence of the Republic of Texas* (3 vols.; Washington, 1908-1911), Vol. I, p. 401, item no. 6; J. W. Wilbarger, *Indian Depredations in Texas* (Austin, 1889), pp. 157-167.

⁴ *Texas Sentinel* (Austin), March 11, 1840.

⁵ Dawson to Crawford, June 5, 1843.

⁶ The article was reprinted in the *Daily Tropic* (New Orleans), July 10, 1843.

⁷ *Morning Star*, August 1, 1843; *Telegraph and Texas Register*, August 2, 1843. There is no valid evidence that Manuel Flores was in Vicente Cordova's insurrection at Nacogdoches in August, 1838. When Flores was killed, among his possessions was a letter from Cordova. This has led several historians to state that Flores participated in Cordova's rebellion. William Kennedy, *Texas: The Rise, Progress, and Prospects of the Republic of Texas* (London, 1841; Fort Worth, 1925), p. 716; Homer S. Thrall, *A Pictorial History of Texas* (St. Louis, 1879), p. 539; John Henry Brown, *History of Texas, from 1685 to 1892* (2 vols.; St. Louis, 1892-1893, Vol. II, p. 143; Sam Houston Dixon and Louis Wiltz Kemp, *The Heroes of San Jacinto* (Houston, 1932), p. 441; Amelia Williams and Eugene C. Barker (eds.), *The Writings of Sam Houston* (8 vols.; Austin, 1938-1943), Vol. III, p. 107; Frank Goodwyn in Walter P. Webb and H. Bailey Carroll (eds.), *The Handbook of Texas* (2 vols.; Austin, 1952), Vol. I, pp. 611-612.

of Texas as auxiliaries to the Mexican army.⁸ In February of 1839, during a revolt in northern Mexico by the Federalists against the Centralist government, Filisola was succeeded by Canalizo. Several copies were made of a letter of introduction from Canaizo to several prominent Indians, including the chiefs of the Cherokees, Seminoles, Caddos, Tawakonis, Kichais, Kickapoos, Brazos, Guapanaques (Delawares), Biloxis, Tawhualpas, and Wacos. Canalizo explained to the chiefs that Mexico was not yet in a position to invade Texas. In giving the reasons, he avoided mentioning the Federalist revolt.⁹ Canalizo also wrote to Manuel Flores, instructing him to present the circulars to the chiefs.¹⁰

By May the Federalist threat had subsided and Flores started through Texas with an expedition carrying war supplies for the Indians to the north. The expedition was sighted on May 15 by a party of Texas Rangers who were scouting a few miles south of Austin. The rangers, led by Captain Micah Andrews, took pursuit. On the morning of May 17 Captain Andrews discovered his horse was lame, so he and two of his men turned back, leaving Lieutenant James O. Rice in charge of the remaining seventeen men. Rice followed Flores' trail northward from the Colorado River to the North Fork of the San Gabriel. In the early afternoon he confronted the rear guard of the Mexican party. After a brief exchange of shots the Mexicans scattered, fleeing into the hills north of the river. Manuel Flores and two of his men lay dead.

⁸ Vicente Cordova to Manuel Flores, July 19, 1838 (translation), *Senate Executive Documents*, 32nd Cong., 2nd Sess. (Serial No. 660), Document No. 14, p. 36. During the Texas Revolution in 1836, a Manuel Flores was active in East Texas trying to turn the Caddo Indians against the Texans. Some historians have concluded that this was the same Manuel Flores who, while acting as an Indian agent for the Mexican government, was killed on the North San Gabriel River in 1839. George P. Garrison, *Texas, A Contest of Civilizations* (Boston, 1903), p. 233; Justin H. Smith, *The War With Mexico* (2 vols.; New York, 1919), Vol. I, p. 422, note 12; Frederick C. Chabot (ed.), *The Perote Prisoners: Being the Diary of James L. Trueheart* (San Antonio, 1934), p. 10, note 11; Joseph Milton Nance, *After San Jacinto: The Texas-Mexican Frontier, 1836-1841* (Austin, 1963), p. 131.

⁹ *Ibid.*, p. 149; *Telegraph and Texas Register*, February 13, 1839; Letter of introduction from Valentin Canalizo to Indian chiefs (circular addressed to Lieutenant Colonel la Pluma, chief of the Kichais, and to the chiefs of the Wacos, Tawakonis, and Tawhualpas), February 27, 1839 (copy in original Spanish), General Records of the Department of State, Record Group 59. The text of this circular, if translated, would be the same as of those intercepted by the Texas Rangers on the North San Gabriel in 1839: Canalizo to chiefs (circular addressed to Antonio of the Biloxis), February 27, 1839 (translation), *Senate Executive Documents*, 32nd Cong., 2nd Sess. (Serial No. 660), Document No. 14, p. 35.

¹⁰ Canalizo to Flores, February 27, 1839 (translation), *ibid.*, pp. 31-32.

The rangers suffered no casualties and captured one hundred and fourteen horses and mules, all of the Mexicans' packing apparatus, about three hundred pounds of powder, around three hundred pounds of lead molded into balls and shot, several bars of lead, seventeen Mexican silver coins, a large quantity of luggage, and some leather sacks containing papers.¹¹

The papers intercepted at the San Gabriel skirmish gave the new president of Texas, Mirabeau B. Lamar, his first justification for confronting the troublesome Cherokees and their associated tribes with an ultimatum: they could either leave Texas peaceably, in which case they would be compensated for the loss of their improvements on their lands, or they would be forcibly evicted. While negotiations for a treaty were being attempted, the Texans moved a large force under the supervision of Brigadier General Kelsey H. Douglass into position for battle. On July, 15, 1839, all attempts to make a treaty fizzled and the first of two battles took place. Before it was over, night had set in. The next morning the Texans renewed their pursuit and in the afternoon, the Cherokees were thoroughly defeated. Over one hundred Indians lost their lives, including Bowles, the Cherokee military chief. The survivors moved up into the Indian Territory, leaving their rich East Texas farms to the land-hungry Anglos.¹²

With the Cherokees and their allies driven out of Texas and Chief Bowles dead, Mexico lost a potential force to exert pressure on the north of Texas whenever the Mexican forces were ready to invade from the south. To further hamper any designs Mexico had on Texas, the Federalist movement began to gain new life.

Less than a year after Flores was killed, a letter written by Juan N. Almonte, the Mexican secretary of war, was intercepted

¹¹ Wilbarger, *Indian Depredations*, pp. 158-164; Burleson to Johnston, May 22, 1839.

¹² Henderson Yoakum, *History of Texas* (2 vols.; New York, 1855), Vol. II, pp. 263-271. "Chief Bowles of the Texas Cherokees," by Dorman H. Winfrey in *The Chronicles of Oklahoma*, Vol. XXII, No. 1 (1954) reviews the life of Chief Bowles and the battle with the Texas Cherokees near the Neches River, Texas on July 15, 1839, in which Bowles was killed. His sword, presented him by Sam Houston, was taken from the battlefield and saw service during the Civil War in the hands Col. James H. Jones. After the Civil War, the sword was preserved in the Masonic Lodge in Henderson, Texas, until 1890 when it was returned to the Cherokee Nation. It is still preserved in the Masonic Lodge at Tahlequah (See "A Historical Relic At Tahlequah" — "The Sword of Cherokee Chief Bowles" by Judge N. B. Johnson, in *The Chronicles*, Vol. XLIV, No. 2).—Ed.

near Monterrey by the Federalist leader, Antonio Canales. An American soldier of fortune who was serving under Canales forwarded the letter to President Lamar. The letter reported the death of the assistant adjutant general of Texas, Colonel Benjamin H. Johnson, and his party, who were returning to Texas on December 17, 1839, from Camargo, Mexico, where they had been sent to discourage Texans from taking part in the Mexican internal conflict. The letter said they had been captured on the north side of the Rio Grande by a party led by Captain Manuel Flores and, after being murdered, hung by the heels from a tree.¹³ When the *Texas Sentinel* of Austin got word of this letter, it proclaimed: "Manuel Flores . . . was supposed to have been killed last summer in a fight . . . a few miles from this city. It appears he was not with the party at that time, and that the person supposed to be Flores, was only the commander of a small party who had the papers and baggage of Capt. Flores in charge."¹⁴

The *Morning Star* of Houston printed the *Sentinel* article, but two years later, the *Star* reported that they had word that Johnson's party was not killed by Flores but rather by a band of Caddo Indians.¹⁵ In any case, the Manuel Flores of the battle of San Gabriel was not a captain as the *Sentinel* had styled him. He was a civilian volunteer, not a soldier. There was however a Captain Manuel Flores who was in command of a company of soldiers in Matamoros at the time of Johnson's death, and he may have been the Manuel Flores given credit for the atrocity.¹⁶

The Federalist movement dissipated with the surrender of Canales to General Isidro Reyes of the Centralist army on November 6, 1840. Mariano Arista, who had taken over as General in chief of the Army of the North, then began to revamp the defenses along Mexico's northern border. He ordered the formation of squadrons of *defensores de la frontera*. In each of the principal northern towns there were to be four squadrons and one company; and in Guerrero, Mier, Camargo, and Reinosa there was to be one squadron. At Laredo there was to be a company.¹⁷ And al-

¹³ *Texas Sentinel*, February 1, March 11, 1840; *Morning Star*, May 5, 1842.

¹⁴ *Texas Sentinel*, March 11, 1840.

¹⁵ *Morning Star*, May 5, 1842.

¹⁶ Agapito Longoria to Captain Manuel Flores, January 24, 1840, Matamoros Archives (Archives, University of Texas Library, Austin), Vol. 33, p. 44.

¹⁷ Nance, *After San Jacinto*, pp. 370, 371, 379.

though not publicly admitted, Arista must have made arrangements for a spy company at San Antonio (called Bexar by the Mexicans), for on January 27, 1841, at Monterrey, Arista signed a passport for Lorenzo de la Rosa and Santos Flores so that they could march to the *cuerpo de Bexar*.¹⁸ Both men were residents of San Antonio.¹⁹ Juan Nepomuceno Sequin of San Antonio had visited Arista in Monterrey during the previous month.²⁰ Possibly La Rosa and Flores had been in Seguin's company and stayed behind when he left Monterey in December.

Eventually Mexico was able to make a concerted effort to regain Texas in 1842, during which time, Seguin and several *Bejarenos* joined the Mexican cause; but although San Antonio was raided twice, no gains were made in Texas by the Mexicans.²¹ Throughout the time that Texas remained a republic, Mexico never completely gave up the idea of recruiting the Indians to help in an effort to win back Texas. Mexican emissaries were active in both Texas and the Indian Territory to the north where they tried to persuade the Indians that Mexico was the only nation that had their interests at heart.²²

¹⁸ Passport from Mariano Arista to Lorenzo de la Rosa and Santos Flores, Monterrey, January 27, 1841 (copy in original Spanish), General Records of the Department of State (Record Group 59) Miscellaneous Letters Series (Diplomatic, Legal, and Fiscal Records Division, National Archives, Washington).

¹⁹ Santos Flores was married to Juana Granado and they had a daughter Maria Teresa. Flores' daughter died as a young woman in September, 1851, and his wife died a few months later. Frederick C. Chabot, *With the Makers of San Antonio* (San Antonio, 1937), p. 176; Burial Records of San Fernando Church, September 24, 1851, January 24, 1852 (microfilm; Catholic Archives, Texas Diocese, Austin).

Lorenzo de la Rosa was a resident of San Antonio as early as 1833. In 1847 he acted as guide to John O. Meusebach on his trip from Fredericksburg to the Comanche country to make a treaty between the Indians and Central Texas German colonists. Nacogdoches Archives (Archives, University of Texas Library, Austin), Vol. LXVIII, p. 206; Kenneth Franklin Neighbours, "Robert S. Neighbors in Texas, 1836-1859" (2 vols.; Ph.D. dissertation, University of Texas, Austin, August, 1955), Vol. I, p. 103.

²⁰ Nance, *After San Jacinto*, p. 376. Seguin was elected mayor of San Antonio on January 4, 1841. Joseph Milton Nance, *Attack and Counterattack: The Texas-Mexican Frontier, 1842* (Austin, 1964), p. 53.

²¹ *Ibid.*, *passim*.

²² *Morning Star*, June 28, 1842; Grant Foreman, *A History of Oklahoma* (Norman, 1942), p. 40. In 1844 seven Mexican officers and a large concourse of Caddos, Kichais, Cheyennes, Tawakonis, and others held a council in Central Texas, and such councils had been held annually at different points. James Logan, Creek Indian agent, to T. Hartley Crawford, November 9, 1844, Office of Indian Affairs, Western Superintendency, A1736 (Social and Economic Records Division, National Archives, Washington).

During this period Santos Flores began working with the tribes that lived along the Texas-U.S. Indian Territory border. He still had his 1841 passport from Arista and in addition, he had somehow acquired one of the circulars that Valentin Canalizo had written as a letter of introduction to the Indians on February 27, 1839, naming Manuel Flores as principal commissioner of Indian affairs. Accompanied by a Seminole interpreter, Santos Flores was visiting the Creek Indians along the Little River when apprehended by Creek agent Dawson in early May, 1843. By slipping away from the Creek chiefs in whose custody he had been placed, Flores escaped paying a \$1000 fine for being in the Creek country without a pass. Although he thus became a fugitive of the United States, he apparently remained at large.²³ The confusion over his name has caused at least two historians to state that the Mexican emissary active in the Territory in 1843 was Manuel Flores.²⁴

²³ A year later Dawson himself became a fugitive. On July 8, 1844, he and his brother-in-law, Dr. John R. Baylor, killed Seaborn Hill, a licensed trader in the Creek Nation. They were held briefly at the Creek Agency but soon made their escape to Texas. Dawson remained in Texas until 1852 when he was captured and taken to Little Rock, Arkansas. He was apparently never brought to trial and died at age seventy-nine in Westminster, Maryland, on January 13, 1879.—James Henry Gardner, "The Lost Captain—J. L. Dawson of Old Fort Gibson," *The Chronicles of Oklahoma*, Vol. XXI (September, 1943), pp. 217-249.

²⁴ Grant Foreman, *Pioneer Days in the Early Southwest* (Cleveland, 1926), p. 292; Grant Foreman, *Advancing the Frontier 1830-1860* (Norman, 1933), p. 156, note 8; James K. Greer, *Colonel Jack Hays, Texas Frontier Leader and California Builder* (New York, 1952), p. 94.

NOTES AND DOCUMENTS

OKLAHOMA HISTORICAL BUILDING:
ARCHITECTURAL SELECTION

This personal and on sight history of the historical train trip through many northern and eastern states is made by Edward Philip Allen, son of Edward P. Allen, M. D. and grandson of Judge Phil D. Brewer, forty-one years after the event occurred. The research was made from newspaper articles, letters and from the memory of Edward Philip Allen, who was ten years old and the only living member of the party taking the tour. This resume is done at the request of Colonel George H. Shirk, President, Oklahoma Historical Society.

The Oklahoma Historical Building

The Oklahoma Historical Society was organized at an annual meeting of the Territorial Press Association held at Kingfisher, Indian Territory, May 27, 1893. All of the hopes and plans of the group of dedicated men and women meeting there was confirmed by the appropriation to build a building on the capitol grounds in the session of the Twelfth Legislature on February 26, 1929, under the administrations of Governor Henry S. Johnston and Lt. Governor W. J. Holloway. The amount appropriated by the Legislature was \$500,000 from the public land building fund derived from the sale of Sections 33 in each township of the Cherokee outlet as granted in the Enabling Act.

At a meeting of the Historical Society on January 23, 1929, thirty-six years later, a building committee of seven was elected by the Oklahoma Historical Society to serve with the State Board of Affairs in the matter of the construction of the Historical Society Building as provided in the appropriation. The building committee consisted of: Judge Robert L. Williams, Chairman; Judge Thomas H. Doyle, Vice Chairman; Judge Phil D. Brewer; General W. S. Key; Jasper Sipes; Dan W. Peery; and Judge W. A. Ledbetter. A Citizens Advisory Committee was also named. They were: General Roy Hoffman; E. K. Gaylord, Editor Daily Oklahoman; Carl McGee, Editor Oklahoma News; Mayor W. C. Dean; and Joe Huckins, Owner Huckens Hotel.¹

After several meetings, it was decided that the building

¹ See APPENDIX A for series of events, sources, and letters used in preparation of this article.

committee should make an extensive train trip tour throughout the northern and eastern sections of the United States covering the cities of Topeka, Kansas; St. Paul, Minnesota; Madison, Wisconsin; Rochester, New York; Washington, D. C.; Indianapolis, Indiana; and Nashville, Tennessee. Des Moines, Iowa was in the original schedule but deleted because of time and train connections. All of the members made the trip except Judge W.A. Ledbetter, who was ill at the time, and additional people were: Edward P. Boyd, former Dean of Engineering, Oklahoma A & M College, Building Superintendent, Sol Layton, Layton, Hicks & Forsyth Architects, and Edward Philip Allen, grandson of Judge Phil D. Brewer. The story of this trip is very interesting in that we spent many nights on the pullman train travelling from one city to the next viewing the historical society buildings in different states during the day.

We left Oklahoma City on Wednesday night, May 22, 1929, by Santa Fe Pullman for a trip to Topeka, arriving about 8 A. M. Thursday morning. We visited the historical building located in the capital of Kansas where we spent several hours viewing the architecture and rooms within the structure and visiting with the officers and secretary of their society. That evening, we boarded the train for an overnight trip to St. Paul, Minnesota, arriving in the morning of the second day. Here we viewed the building, the contents, the architecture and visited with officers and secretary of the Minnesota society. It was at that time that my grandfather, Judge Phil Brewer, and my brother, Robert William Allen's Godfather, Judge Robert Williams, instructed Mr. Layton to obtain the blueprints of the Minnesota Historical Society Building. This was done and, from these blueprints, the idea was conceived and final adaptations were made to their specifications and, from the plans, the formation of the Oklahoma Historical Society Building came into focus. Our Oklahoma building is a prototype of the Minnesota Historical Building at St. Paul.

That evening, we boarded the train and travelled to Madison, Wisconsin, where the same routine was made by all members of the committee. We arrived in the morning after a restless night on the pullman, had breakfast in the dining car as we raced across Wisconsin. The balance of the day was spent inspecting and viewing the history of the State of Wisconsin.

Boarding the train in the late afternoon, we proceeded to our next stop which took the late afternoon, night and part of

the next day to reach Rochester, New York. Several hours were spent here. However, being anxious to spend extra time in Washington, D. C., we boarded again in the evening and rode the pullman overnight to our Nation's Capitol, arriving Sunday morning. So far, this had been a great experience for me since I was very young at the time. The trip, in itself, was quite long, but the idea of my taking such a trip, or even being invited to attend by my grandfather, often makes me wonder why he would want to have me tag along asking questions and, I am sure, getting in his way.

As I remember, the party was very happy to have me, and I must have been one to stay out of trouble because later I took other trips with Grandfather Brewer when he toured the area in which he was raised in Western Arkansas and Eastern Oklahoma.

We spent three days and two nights in Washington, D. C. We viewed the Lincoln Memorial, Washington Monument, Unknown Soldier's Grave in Arlington Cemetery and many government buildings. The trip to Mount Vernon, I think, was my favorite. The experiences received in Washington, D.C. were privileged to our group and especially to me. Prearrangements had been planned by the late United States Senator J. W. Harrell who, through his friends and connections, arranged for us to be received in the White House by one of the Assistants to the President (Calvin Coolidge was President of the U. S. at that time), who took us on a tour of the grounds, the offices and living quarters. Later, we drove to the Capitol and had lunch in the United States Dining Room where we were entertained by Senators Elmer Thomas and T. P. Gore and friends. Again, this was a great experience for a young boy of ten. Later, we toured the Capitol, rode the underground railcar from the Capitol to the Senate Building, visiting in the office of Senator Thomas. Leaving the Senate Building, we went to the Smithsonian Institute and spent hours viewing the treasures stored there and displayed in the multiple floors and unlimited space available. The two nights we stayed in Washington were at the Willard Hotel, and I remember especially the last evening getting a cinder in my eye. This caused some concern to the men, but, as I remember, the house doctor was called and, after a little eye washing, the cinder and pain went away and we were ready to travel again.

The last leg of our journey was the beginning of the third afternoon in Washington when we boarded the train at the Washington Union Station and headed West to Indianapolis, Indiana,

arriving the following morning. Here, we toured their State Historical building, studied the architecture and plans of display and boarded the evening train for Nashville, Tennessee, arriving after breakfast the following morning. We spent the day in Nashville, leaving the same afternoon by train to the "Way Out West City" of Oklahoma City. It took the afternoon, night and part of the next day to arrive home.

The mission given to the committee by Governor Henry S. Johnston was accomplished and well done. History was in the making when this trip was authorized by the Legislature to build a solid structure now known as the Oklahoma Historical Building in Oklahoma City. The contract was let August 2, 1929, to Holmboe Construction Company of Oklahoma City on a basic bid of \$412,000. Other bidders were: Underhill Construction Company, \$418,536; C. M. Dunning Construction Company, \$419,854; Tankersley Construction Company, \$423,854; and the Manhattan Construction Company, \$422,650. The cornerstone was laid on November 16, 1929, and the building was dedicated on November 15, 1930. It is interesting to note that, even though Governor Henry S. Johnston was Governor when the appropriation was made, the Lieutenant Governor, William J. Holloway, became Governor in the mid-year of 1929 and delivered his first address at the dedication of the cornerstone.

There is a picture of the laying of the cornerstone in which my presence is especially prominent, along with my father, Dr. Edward P. Allen, M.D., a prominent pioneer and doctor. He was known as the Father of Obstetrics to many mothers and students of medicine before he died in 1949. Thus comes to an end the story of a small boy who was so fortunate to be included in such a historical and important part in the forming and completion of the historical building which now houses and stores priceless information of pioneers of Oklahoma, the early tools, ideas, stories of hardships and stories of happiness, and most of all, their belief in God, their country and the future of their families.

—Edward Phillip Allen

Oklahoma City, Oklahoma

APPENDIX A

(1) SERIES OF EVENTS:

The formation of the Building Committee January 23, 1929. Appropriation of funds was made February 26, 1929. The trip of the Building Committee May 22, 1929. The letting of the contract August 2, 1929. The laying of the cornerstone November 16, 1929. The completion of

the building September 22, 1930. The dedication of the building November 15, 1930.

The three Governors involved were: Governor Henry S. Johnston, Governor W. J. Holloway and Governor-Elect, W. H. Murray.

(2) SOURCES:

History of *Oklahoma Historical Society* by Thomas A. Doyle; *Oklahoma Statutes*, Enabling Act, Vol. 34, p. 267; *Oklahoma Sessions Laws*, 1931, p. 328; *Chronicles of Oklahoma*, 1930, Vol. 8, No. 4, Editorials; *Daily Oklahoman*, 4-25-29; *ibid.*, 5-20-29; *ibid.*, 6-21-29; *ibid.*, 8-2-29; *Blackwell Times*, 11-1-29; Picture, *Daily Oklahoman*, 11-16-29; "Laying of Cornerstone," Address by Governor William J. Holloway, 11-16-29; *Blackwell Times*, 11-27-29; *Tulsa World*, Editorial, 11-9-30; Letters from Judge Robert L. Williams, 12-26-45.

(3) Letters:

Mrs. Edward P. Allen,
230 N. W. 16th St.,
Oklahoma City 3, Oklahoma.

Dear Mrs. Allen:

This acknowledges receipt of your letter of December 20th. Any time on January 23rd or 24th will suit me. Of course, as I am President of the Board of Directors it will probably be more appropriate for me to preside at the presentation. It would be very fine indeed to have your son Phil to give the presentation of the portrait.

Now, he was along on this trip that was made to Topeka, Kansas, St. Paul, Minnesota, Madison, Wisconsin, Rochester, New York, Washington, D. C., Indianapolis, Indiana and Nashville, Tennessee. Judge Brewer was on this trip and he did some valuable work. When he reached St. Paul, the architect, Layton, was along and Judge Brewer and I got the architect to get the blueprint of that St. Paul Building and it is a proto type of this building in Oklahoma City. Judge Doyle was along, Dan Peery and I don't remember whether Mr. Ledbetter was along or not but I think he wasn't well and wasn't able to make the trip. I believe that Mr. Ledbetter was the only one that was on the building committee that wasn't able to go but all the rest of them were on this trip. General W.S. Key was along but I believe that Mr. Ledbetter wasn't well and couldn't go. Judge Vaught being a law partner for years of Judge Brewer's it would be appropriate for him to be present and make a speech and then other persons that may be selected. Judge Brewer was present when the building was accepted from the contractors and there is a large photograph in the building that shows the acceptance. He was active in the work of the Historical Society and had he lived he would have undoubtedly been elected President of the Society at an early date. I am sending a copy of this letter to Dr. Evans.

I hope that you have had a Merry Christmas and that you may have a Happy New Year.

Sincerely,
Robert L. Williams

Dr. Charles Evans, Secretary,
Oklahoma Historical Society,
Oklahoma City 5, Oklahoma.

Dear Sir:

I herewith beg to hand you copy of letter which I have written to Mrs. Dr. Allen. It occurred to me that it would be better to have that presentation in the afternoon of the 24th. To have it at night, say after 7:30 p.m. it might not be convenient for a lot of people to attend a meeting that late

in the day, but you talk it over with Mrs. Allen and fix the time. Any time will suit me.

I have your letter of Dec. 21st and I note about the Waite Phillips portrait. We will accept that when the board is in regular session on the 24th and then I think it will probably be better to accept the portrait of Judge Dale at the same time. You can notify Mr. Harry F. Brown of Guthrie, but we'll adjust matters so as to suit the convenience of all parties concerned.

Now, it is my understanding that the invocation of that meeting is to be made by Dr. Wm. H. Wallace, Pastor of the St. Luke's Methodist Church. Judge Brewer was a member of the board of Stewards of that church. Then the presentation of the portrait will be by Captain Edward Philip Allen and I'll preside and accept it on the part of the organization and Judge Vaught will be introduced and make an appropriate address. He and Judge Brewer were law partners for years and then Judge J. H. Everest was also a law partner of Judge Brewer's and it will be appropriate for him to participate in the address at the meeting.

Yours very truly,
Robert L. Williams

p.
cc: Mrs. Edward P. Allen, 230 NW 16,
Oklahoma City 5, Okla.

RIVERSIDE INDIAN SCHOOL CENTENNIAL, 1971

Riverside Indian School is the oldest boarding school in operation in the United States, within the Indian Service. Begun one hundred years ago, Riverside will celebrate its centennial anniversary in 1971. As one drives north from Anadarko across the bridge on the Washita River, a long lane is seen lined on both sides by evergreen cedar trees that mark the way to the school campus, a beautiful place in the valley near the river, on the west side of U. S. Highway 281. An official Oklahoma historical marker standing at the entrance to the cedar lined driveway points out briefly some of Riverside's history. Founded by Quaker agents in the U. S. Indian service, the school opened in 1871 among the Wichita and Caddo people. Children of other tribes in this area attended here as the years passed. More about the wonderful story of this old boarding school among the western Indians is told by Mrs. Tommie Hanger, Education Specialist in the Anadarko Area Office of Indian Affairs in Oklahoma.

—The Editor

Riverside's Story

The story of the Riverside Indian School is as interesting and colorful as it is rugged. It began in 1871 when a Quaker agent,

Mr. Jonathan Richards, erected a one-room building on Sugar Creek to house supplies. Mr. A. J. Standing helped to organize the school, but he was soon followed by Mr. Thomas Battey who worked through the fall and winter to get the school established and operating.

It was difficult to get students to enroll this first year. The Caddo parents were not sure the children would be cared for properly and they also feared what the white teacher might teach them. However, there were eight little non-English speaking children who joined the beginner's class this first year. Their attendance was very irregular and this caused Mr. Battey to decide to establish a boarding school.

A new building was erected at the foot of a hill, one mile east of where this school now stands. This became known as the Wichita-Caddo school. It is said that parents moved in and pitched their tents near the school to see that the children were well treated.

A fire, resulting in the tragic loss of one life, destroyed the school in 1878. The school was later re-established at its present location on the banks of the Washita River. Later another fire destroyed one of the buildings—a dormitory.

By 1893, the student enrollment had grown quite a bit and now included three tribes, the Wichita, Caddo, and Delaware tribes. The school had a capacity of sixty students. The buildings consisted of a laundry, a bakery, a warehouse, and a two-story brick dormitory. Two of these buildings are still standing on the campus and are being used. They are the clothing classroom and the Science building. The other buildings were torn down, one at a time, to make room for more modern buildings.

By 1920 to 1922, there were about 15 employees working at the school. In 1922 the Kiowas began to enroll. This increased the enrollment so that a new dormitory was needed. This dormitory is the present Kiowa Lodge. It was erected in 1929, but has gone through several remodelings since then as special needs arose. It is now a dormitory for both boys and girls. This construction seemed to mark a new era in the building program and in a few years several new structures were seen on the campus. The school program between 1930 and 1935 placed an emphasis on farming and homemaking. Until now the school was an elementary school with grades one through six. Now the grades include 9 to 12.

The gymnasium was built in 1935. This was an important addition for now there was a place large enough for parties, games, boxing and church activities, and also for tribal meetings.

There had always been a dividing line on the campus. This line separated the boys side of the campus from the girls side. This line began to disappear as the students met in the gymnasium for the various activities that took place there. The students began to learn to dance. We know some of the present employees at Riverside will find it hard to realize that there was a time when neither the students nor the employees could dance. Some employees took lessons from a lady who came from Chickasha to teach. They then taught the students. It wasn't too long before the students had taken over the teaching and employees were learning from them.

The old part of the present school building was completed in 1937. Everyone was so proud of the new school—though some of the teachers continued to go over to the old building to rummage in the attic on Saturday mornings. It was an interesting place to rummage for there was a little bit of everything stored there. The school was by this time becoming a high school but emphasis was still on the farming and homemaking. The students helped with the school details in the buildings and on the farm and were in the classrooms only one-half of each day. New courses had been added to the curriculum but in some cases, as with American History of Biology, the subject would be offered only every other year. There were not enough teachers and teachers were not always assigned to teach the subjects they were best trained for.

Seven of the cottage-type dormitories were built in 1939. Two others were added in 1941. This brought a great change in the school program. The small family group in each cottage was divided into two sections—the cooks and the housekeepers—they worked in two week periods. All three meals were prepared in the cottages by the students. The teachers and certain other employees lived in the cottages as the adult members of the family. Duty hours were long and tedious—everyone worked five and one-half days each week plus all day every other Sunday. The salary was the same as before. Between this time and the next several years a new dairy barn and a new shop building were added to the Riverside community.

In 1945 the doors at Riverside were opened to the Navajo



RIVERSIDE SCHOOL CAMPUS

Kiowa Lodge dormitory to left (seen back of the trees); Gymnasium, center; wing of the School Building, to right (U.S. Flag in front).



RIVERSIDE SCHOOL DORMITORIES

Cottage type dormitories erected in 1939.

students from the Southwest, and since then the doors have not been closed to students from any tribe who meet the criteria for enrolling in an Indian Bureau boarding school, and who can profit by the offerings of the school. Today there are students from about twenty seven tribes. They come from all parts of the country.

In recent years Riverside has made some giant strides in growth, and in program. There were some growing pains, of course, such as when they were asked to give up the farm, the dairy, the laundry and the bakery. These things were much a part of the school that no one could really see how they would be able to get along without them. But, this was policy and the school fell into line cheerfully.

The school became accredited and the school program was changed to allow students to remain in the classroom a full school day. More electives were added, both the Academic and Guidance programs were strengthened—emphasis was placed on excellence in the Academic and on the social and personal development of the individual. Last year the school dedicated an addition of new classrooms and a library to the present old Academic building and the opening of a new student dining room. It was a great day for everyone. For the past several years there have been fifty or more graduates in the graduating class.

Many of these students go on to college or to trade schools for advanced training. It would not be difficult to name a number of these students who have gone into professions and who are holding responsible positions.

As we recount the events in Riverside's story we must know that one big dream has been that sometime the school would reach a quality that would enable them to ask for membership in the NCA. They have worked toward this goal and today they are ready for admittance.

This story has been one of continued progress. From eight non-English speaking beginners in a one-room school to about 375 students living in a community of modern buildings. From a beginners class to a fully accredited highschool offering more than 18 elective and enrichment subjects, for students whose needs have grown and must be met. Riverside can point with pride to her growth through the years to her present beautiful campus, her excellent and dedicated staff, to the modern buildings and equipment, to the fine young men and women who make up the

student body, to the past, to the present, and beyond to her greater dreams for the future.

—Mrs. Tommie P. Hanger

Anadarko, Oklahoma

OKLAHOMA'S WEATHER WATCH

The following account on The National Severe Storms Laboratory is contributed by Mr. G. Whiteford, Assistant Professor of Geography in West Texas State University. He is a native of Toronto, Canada, and obtained the B.A. degree from the University of Toronto (York University) in 1964. He holds a M.A. degree in geography from Clark University in Worcester, Massachusetts, and is at present a doctoral candidate in political geography at the University of Oklahoma. He worked the summer of 1969 at the Severe Storms Laboratory in Norman, Oklahoma.

The Editor.

The Weather Watch

Between the hours of 4:00 p.m. and 6:00 p.m. during the months of April, May, and June, is the time of most frequent occurrence of tornadoes in the Southwestern United States. Tracking and studying these tornadoes is a major concern of Oklahoma's Weather Watch—The National Severe Storms Laboratory (NSSL), located on the north campus of the University of Oklahoma in Norman, Oklahoma. The laboratory is a division of the United States Environmental Science Services Administration (ESSA), which is responsible to the United States Department of Commerce. The Norman site is the major tornado data gathering centre, and plays a role similar to the laboratory in Miami, Florida which investigates hurricanes. The information gained on severe thunderstorms and tornadoes at the NSSL is used by the National Severe Storms Forecast Center (NSSF) at Kansas City, Missouri, which has forecasting responsibility for these phenomena. With a full-time staff numbering about forty, including trained meteorologists and climatologists, the Oklahoma laboratory develops and manages extensive facilities, and during the storm season there is a program of intensive observations on storms. The research philosophy is aimed at uniting theoretical principles with observational data—research topics include severe storms circulation and dynamics, severe storm electricity,

development of weather radar, including Doppler radar (radar that can measure the radial speeds of scattering elements, such as precipitation particles, that move with the winds), safety of flight in thunderstorm areas, and storm forecasting. By studying the behavior of severe weather phenomena such as tornadoes, hail storms, and heavy rains, the Norman Laboratory, utilizing some one-million dollars in equipment, contributes understanding to the national weather system.

To gather data on tornadoes and thunderstorms, NSSL has some thirty surface stations of its own, and is assisted by a joint project with the United States Army and Air Force to obtain observations from ten closely spaced rawinsonde (balloon borne sensing equipment for high altitude observations) stations. Most of the surface stations are located southwest of Norman (twenty miles south of Oklahoma City), placed five miles apart over an eight hundred square mile area, extending from Chickasha, on the southwest corner of the network to a 1500 foot TV tower with meteorological instruments at six levels, on the northern edge of Oklahoma City (see map of station locations). These stations provide continuous records of wind, temperature, humidity, pressure, and rainfall on strip charts (see figure one). In addition the laboratory is surrounded by four radar installations, one of which can scan a radius of 250 miles in all directions (see figure two). To check the high altitude storms, up to seven aircraft are employed to observe and measure such storms. These so-called "Rough Riders" report weather conditions at altitudes ranging from 20,000 to 60,000 feet. Such detection and tracking methods have contributed to flight safety; the greatest reduction of tornado fatalities, however, is a result of weather bureau warnings and improved communication to local communities.

The Norman laboratory has been in operation for seven years. The Director, Dr. Edwin Kessler, has stated the three primary objectives and guidelines followed by the organization—to gather new knowledge to aid in forecasting, to discover new techniques for data collecting and processing, and to study operating configurations of men and equipment for more timely and accurate information to a host of users. The laboratory, in addition to its full-time staff, employs consultants, who specialize in many physical and mathematical disciplines, in order to achieve the desired objectives.

The general organization of the Norman laboratory is depicted in figure three. In most cases it is common for single indi-

viduals to participate in different activities. However, the program gains its fullest momentum during the storm season of April, May, and June. At times, depending on storm activity, there is considerable effort to collect the needed data that is analyzed later in the year. The findings and conclusions form a particular session by themselves and many of the results are published by the laboratory—to date there have been some fifty technical reports.

The analysis of severe storm characteristics is quite varied (see for example, figure four, showing digitized radar data and accompanying photograph). During 1969 a number of projects were conducted: (a) the feasibility of obtaining air divergence values from three constant-level balloons tracked simultaneously; (b) heat and moisture transports in the planetary boundary layer; (c) the growth of hailstones from embryos of various sizes describing the relationships among the cloud content, final hailstone size, and number of hail nuclei and buoyancy forces; (d) probabilistic models for the distributions of storm echoes and turbulence encounters; (e) flights, near NSSL by a T-33 of the Canadian Research Council, indicated how turbulence between cloud towers was related to distance between towers and to the storm intensity; (f) a new radar reflectivity study was undertaken to determine improved applications of radar to airport terminal severe weather problems; and (g) an urban network of surface stations was operated and the tower of WKY-TV provided records of wind and temperature at six levels up to 1500 feet. During 1970 the anticipated highlights include: (a) investigations into pre-storm environments to determine the evolution of meso-scale storm-producing mechanisms; (b) studies of the continuity and distribution of water substance in atmosphere circulations; (c) air flights during the spring season in coordination with data recording at the X-Band pulse Doppler facility at Chickasha, Oklahoma; (d) discussion of the principal three-dimensional and temporal relationships between lightning and the precipitation patterns of severe storms; (e) attempts to link the short term variations in echo intensity and motion to the occurrences of wind gusts and hail falls; and (f) a summary of radar and tower data acquired systematically during the past three years will be published.

While studying storm mechanics, the NSSL has devoted special attention to aircraft storm hazards. In 1967 a study was launched to develop techniques to aid aircraft flights through storms.

Cloud tops above 40,000 feet were photographed, and turbulence was recorded and observed. Lightning hazards to aircraft were probed by assessing the characteristics and distribution of lightning near severe storms—also the relationships between storm dynamics and electricity were explored. Close work with airline meteorologists and operators helped to improve the identity of areas of lightning through electrical signals. Additional research probes are being made to predict river and flood hazards by using climatological data.

In an effort to prepare local communities for severe storms, the director of the laboratory, Dr. Kessler, has studied the degree of preparedness in Norman, Oklahoma, where the NSSL is located; itself a place of high tornado frequency. Kessler found that 87 per cent of the private residences in Norman were without special facilities for tornado protection. He attributes this condition to the rarity of recorded major tornadoes in the built-up areas. Although there was some awareness of public shelters, some 24 per cent of those interviewed were unaware of shelters for the potential hazards of storms.

The laboratory is attempting, through research efforts, to perfect the daily weather forecast. Although it is not possible to predict the exact time of tornado occurrence, it is possible on a particular day to identify areas where tornadoes are likely—usually 100 miles wide and 250 miles long. Two types of notices are issued by the Weather Bureau, through the NSSFC at Kansas City and the local weather stations. Tornado watches specify areas and establish a time period during which tornado probabilities are expected to be high. They are issued to alert persons to the possibility of tornado development in a specified area, for a specified time. Then tornado warnings are issued when a tornado has been sighted in an area as indicated by radar. Warnings are an indication of the tornado location at the time of detection, the area through which it is expected to move, and the time period of this event.

It is Oklahoma's weather watch that is pioneering attempts to undersand and predict these dangerous phenomena. Though tornadoes affect only a small area at one time, they are extremely destructive. The NSSL in Norman plays an important role in

its research studies, as a contributor to the Weather Bureau in its mission to provide daily forecasts and warnings.

—G. Whiteford

West Texas State University
Canyon, Texas

BOOK REVIEWS

Arkansas Gazette: The Early Years, 1819-1866. By Margaret Ross. (Little Rock: Arkansas Gazette Foundation, 1969, Pp. 428. \$7.50.)

The Arkansas Gazette should be on a reading list for all Journalism students and students of Arkansas and Oklahoma state history. It is a documentary of Arkansas' first newspaper, the *Arkansas Gazette*, and as such is a record of the early history of the state.

The author has meticulously reconstructed those days in Arkansas Territory before statehood when William E. Woodruff as a young man of twenty-three, with his apprenticeship indenture in his pocket, set up his presses and started the first newspaper in Arkansas Territory.

The author selects items of news from the old pages of the *Arkansas Gazette* and fits them together as one might a puzzle. The picture that emerges is a political scene of ambitious young men in a new territory where might was right and where "cow-hiding," "dirking," "ear cropping" and "shooting" were not always just threats. It was after the heated election of 1827, that Robert Crittenden, Secretary of State, and head of a powerful faction in the Territory, challenged and killed his former friend and member of Congress, Henry Conway.

It was Mr. Woodruff's intention to remain neutral in all circumstances and thereby give the public an objective point of view. But politics being what they are, he was soon deeply involved. The story here, of course, is not simply that of Mr. Woodruff but of a newspaper which reflects the times, its owner's point of view and the power of the press to restrain or encourage.

The names of early-day leaders emerge, in fact converge, in such numbers as to be often confusing. However, the methodical buildup of factual data, largely political, is fascinating, and this plus the author's excellent resource material make *Arkansas Gazette* a valuable and outstanding book in the history of the Trans—Mississippi in the Southwest.

—Patricia Lester

Oklahoma City, Oklahoma

A Confederate in the Colorado Gold Fields. By Daniel Ellis Conner. Edited with an introduction by Donald J. Berthrong and Odessa Davenport. (University of Oklahoma Press, Norman. 1970. Pp. 186. \$6.95)

How good it is that manuscripts, such as this one, have been preserved and published so that, years later, they might be read and enjoyed. Fortunate too, that Daniel Ellis Conner was a keen observer and faithful reporter on the life and times in which he traveled.

This volume completes the publication of the Conner manuscript. Chronologically it precedes that portion of the narrative published under the title *Joseph Reddeford Walker and the Arizona Adventure* (University of Oklahoma Press, Norman. 1956).

Conner was a young man when he started for the Colorado gold strike in 1859. Joining a party of gold-seekers, he began the long journey across the Kansas and Colorado plains. He studied the people and land around him and he was able to write with remarkable clarity and detail. Perhaps, because he was a tenderfoot from the East, he was able to see his new adventure with a fresh insight. Especially noteworthy are his impressions of Indians. He writes of them with sympathy and compassion; so different from most contemporary writers of that day.

The gold-hungry men pushed into South Park and soon the sprawling shanty and tent communities of Tarryall and Fairplay sprang up. Here Buckskin Joe emerged. Other mining camps sprang up as men searched the rivers and streams for gold.

At the height of the gold frenzy, the Civil War erupted in the East and spread slowly to the rockies. Conner, a Kentuckian and sympathetic to the southern cause, joined an irregular Confederate band in 1862 that hoped to surprise Union garrisons in Colorado and New Mexico. One of their hiding places was in Mace's Hole, near Pueblo. When their plans failed, Conner found himself among those hunted by Union troops. Seizing an opportunity to escape, the author joined the party of Joseph Reddeford Walker which was hoping to find a new gold region in New Mexico or Arizona. Though this Confederate force never posed a serious threat, Conner's book gives us the best available description of their activity in Colorado.

To the delight of the reader, the editors changed little of

the author's style of writing. Written several years after his many adventures, Conner must have had almost total recall. Especially enjoyable are his descriptive passages of the land, both prairie and mountain, and the wildlife he encountered. It makes an important contribution to our knowledge of the Colorado mining regions and the miners who became involved in the Civil War.

—Arthur Shoemaker

Hominy, Oklahoma

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF
DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

OCTOBER 29, 1970

Vice President H. Milt Phillips called the meeting of the Board of Directors of the Oklahoma Historical Society to order at 10:00 a.m. on Thursday, October 29, 1970. The meeting was held in the Board Room of the Oklahoma Historical Society Building in Oklahoma City. Mr. Phillips explained that he was presiding at the meeting since Mr. Shirk was in New York and was planning to go on to London. Guests present for the meeting were Mrs. Martha Blaine and Dr. Muriel Wright.

A quorum was determined present when the following members answered roll call: Henry Bass, Mrs. Edna Bowman, Q. B. Boydstun, Joe Curtis, Dr. E. E. Dale, W. D. Finney, Dr. LeRoy H. Fischer, Nolen Fuqua, Morton R. Harrison, Dr. James Morrison, Fisher Muldrow, Milt Phillips, Earl Boyd Pierce, Miss Genevieve Seger, and Merle Woods.

Administrative Secretary Elmer L. Fraker reported that Lou Allard, Sen. Denzil D. Garrison, Dr. A. M. Gibson, Judge Robert Hefner, W. E. McIntosh, and George H. Shirk had requested to be excused from the Board Meeting. A motion was made by Mr. Boydstun that all members, who had so requested, be excused. Miss Seger seconded this motion. It was passed by the Board.

In his report on new members and gifts, Mr. Fraker announced that thirty-five new membership applications had been received during the last quarter. There were no new life memberships, however.

Miss Seger moved that the new memberships be approved and the gifts be accepted. Mr. Finney seconded this motion, which passed.

Due to the absence of Mr. McIntosh, the Historic Sites report was made by Mr. Frakes.

1. Fort Washita—A new office building has been built and is in the same style as the existing buildings. The new building is air-conditioned and also has a receptionist and sales desk. Dr. Morrison also reported that everything is going all right at this site.

Mr. Fraker advised that no archaeological work will be done at any of the sites unless approved by his office. There has been a lot of interest in digging for artifacts, but Mr. Fraker said that this should be done by professional archaeologists only.

Mr. Finney mentioned that a man from Fort Washita has reportedly found the old Washita Agency site. Mr. Fraker was asked to follow up on this. Mr. Fraker offered to send someone from the Museum staff down to the area to verify the information.

2. Fort Towson—The clean-up operations will be stopped during the winter months, but will continue in the spring.

3. Plans for placing markers where each unit of the Confederate and Union forces were located at the beginning of the Cabin Creek Battle are being perfected.

4. Thievery—This has become a real problem during the past year, particularly at the main Museum. Mr. Fraker pointed out that items stolen have been from cases that were installed forty or fifty years ago, the latest theft being three pistols dating from the middle of the last century. Items of great interest and value have been placed in the Museum's newer cases or in storage for greater safety. Nothing of real value to Oklahoma's history has been taken so far.

For the first time in history, said Fraker, the Oklahoma Historical Society has round the clock surveillance. It was noted that as far as has been determined, nothing has been stolen at night, but rather during regular hours when scores of visitors are in the building.

Mr. Muldrow asked about the possibility of using only one entrance to the building at night. Mr. Phillips suggested that the "one door at night" theory be investigated by Mr. Fraker.

5. Sod House—Publicity is still given to the Sod House by various publications as a very real reminder of the hardships endured by early settlers in Oklahoma. Dr. Dale called attention to the survey being made by the American Sod House Committee to locate all living members of this organization. He passed around to the Board his Membership Certificate to this unique society.

6. Thomas A. Edison Exhibit—An article appeared in the OG&E monthly publication describing the collection of items from the Brook Foundation of Orange, New Jersey.

7. Oklahoma Territorial Museum—Mr. Fraker presented the architect's drawing of the Territorial Museum which showed both the old Carnegie Library and the new building to be erected at a cost of \$350,000. This is a gift to the Society and the State of Oklahoma. Mr. Fraker gave a brief background of the acquisition of this important historical contribution. When completed it will be second in size only to the Historical Society Museum.

Dr. Fischer then introduced discussion on the architectural plans for the Oklahoma Territorial Museum, i.e., the conformation of the new structure with the existing building. Mr. Fraker reminded the Board that this site is being given to the Oklahoma Historical Society and the State of Oklahoma through the generosity of Mr. Fred Pfeiffer, by way of the City of Guthrie.

Dr. Fischer announced that Oklahoma has been allotted \$15,000 by the National Park Service to be used for the surveying and planning of further historic sites.

The Board was advised by Dr. Fischer that the National Trust for Historic Preservation is conducting a Preservation Workshop on December 3-4, 1970, in Santa Fe, New Mexico. President George Shirk had been invited to attend this seminar and Dr. Fischer moved that Mr. Shirk be paid expenses to attend as the Oklahoma Historical Society's delegate. This motion was seconded by Mr. Harrison and approved. Mr. Fraker was asked to advise Mr. Shirk of this appointment.

8. State History Administrators—This organization will have a meeting in Oklahoma City December 4-5, 1970. Mr. Fraker requested funds to defray the expenses of this meeting. Mr. Pierce moved that money be made available from Society funds for this purpose not to exceed \$200. Mr. Bass seconded the motion, which passed.

Mrs. Edna Bowman, Treasurer, gave a report on the financial condition of Account No. 18 and the Life Membership Endowment Trust Fund. Mr. Muldrow called attention to the growth of this Trust Fund and Mrs. Bowman urged each and every member of the Board to consider this fund personally and encourage others to contribute. Dr. Fischer moved that the Treasurer's report be approved. Mr. Muldrow seconded the motion, which was adopted.

Mr. Bass brought up the matter of Oklahoma's representation on the American Revolution Bicentennial Commission. Mr. Bud Wilkinson has been named to this Commission, but Mr. Bass felt that Mr. Shirk should also be a member. He reported that he had written many letters to this effect to various influential people throughout the country.

Mr. Bass moved that the Board send a formal resolution to the President of the United States advocating that Mr. Shirk be appointed a member of this Commission. Dr. Dale seconded the motion and it was unanimously approved. Mr. Pierce and Mr. Bass were asked to prepare the resolution to be signed by Mr. Phillips and Mr. Fraker, a signed and sealed copy of the resolution to be given to each Board member.

It was announced by Mr. Pierce that all Board members had been invited by the Federal Reserve Bank of Kansas City to attend the dedication ceremonies of the Robert L. Owens Memorial in Tahlequah, February 2-3, 1971.

The matter of late schedules for "The Chronicles of Oklahoma" was referred to by Mr. Phillips. Hope was expressed that the printer would be able to meet a more realistic completion date, or much firmer action would have to be taken by the Oklahoma Historical Society.

Mr. Curtis read the portion of "Along the Trail" which informed the Board of the new room prepared for the Library. Mr. Fraker called attention to the need for additional space and advised that the Library is very popular with students and researchers in the late afternoon and evening hours.

Honey Springs—The progress of restoration work at the Honey Springs Battlefield was reported on by Dr. Fischer. Work on the proposed two buildings, being constructed at the site, is being held up because of the archaeological digs going on at this time.

Dr. Fischer introduced Paul Lefebvre who distributed to each member of the Board a copy of "Statewide Historic Sites Survey and Preservation Plan". These were ringbound copies of this publication which was the joint effort of a number of distinguished people in this field, and particularly of George Shirk, Kent Ruth, and Mr. Lefebvre. Other agencies involved were the Industrial Development and Parks Department and "Oklahoma Today". Dr. Fischer stated that this is a beginning of the State's historic sites program in cooperation with the Federal government and that similar books will be published in the future. Mr. Pierce moved that those who worked on this publication be highly commended by the Board of Directors. Mr. Harrison seconded this motion and all approved.

The attention of the Board was directed by Mr. Harrison to the fact that Will Rogers' birthplace is now an official historic site.

Mr. Woods thanked all those present who attended the Canadian County Historical Society dedication.

In Mr. McBride's absence, Mr. Woods opened the discussion of Constitutional revision. It was agreed that the revision should be presented in its final form at the January meeting of the Board of Directors to be voted on at the April meeting.

The two amendments concerned Board vacancies and the establishment of an Advisory Director's office. Mr. Fraker was requested to send copies of the Constitutional revision to Board members who were unable to attend.

Dr. Fischer in speaking for the Museum Committee, praised the work of the Society's Museum staff, not only at the main Museum in Oklahoma City, but in the Society's historic sites throughout the state. These have developed greatly in the last several years. He stated that effort is being made by the American Museum Association to work out an accrediting system. Mr. Fraker and Mrs. Blaine are preparing a 25-page application form.

The Board was then asked by Mr. Phillips to consider the Historical Society Tour for 1971. It was recalled that the tours were first started by the late R. G. Miller and were quite popular, sometimes having as many as 150 people in attendance. This number has been steadily decreasing in recent years. The time and effort required to conduct these tours each year is great and there is doubt as to whether or not they should be continued, at least on an annual basis.

Discussion then turned to the suggestion that a barge trip on the Arkansas River, which will be navigable early in 1971, might stimulate interest in the tours. A discussion followed as to the possibility of obtaining a barge. Mr. Pierce told of preliminary efforts of the Cherokees to procure as a gift one of the United States Presidential yachts, two of which have recently

been offered for sale. It was decided to delay decision on the tour until the January meeting.

Mrs. Bowman presented the Society with a gift of a portable typewriter patented July 15, 1890-1892. This was given to Mrs. Bowman to be delivered to the Society from the estate of Mrs. Jessie W. Diedrichsen, Kingfisher, Oklahoma. It was requested that a statement of value of the typewriter be sent to Mrs. Grant Humphrey, 804 South Eighth Street, Kingfisher, Oklahoma 73750, for tax purposes.

Mr. Fraker advised the Board of the dedication of the "Million Dollar Elm" monument at 10:00 a.m., November 6, 1970, in Pawhuska, Oklahoma.

Mr. Bass expressed interest in the possibility of developing an Indian Heritage Trail. Mr. Phillips urged Mr. Bass to contact Kent Ruth to investigate the feasibility of this plan.

The "Living Legends" project at Oklahoma Christian College, with which Oklahoma Historical Society is cooperating, is making splendid progress under direction of Penn Woods. Phillips reported to the Board. A relative of Board Member Fuqua has taped a segment of this work. Mr. Bass reported on a very successful taping project in Enid in which twenty persons made recordings of historic value to the "Living Legends" library at OCC. It was reported that the Patrick Hurley tapes have been presented to the library by Mrs. Logan (Frances) Billingsley of New York. Phillips reported more taping sessions such as Mr. Bass described, will be conducted over the state. Directors were told that communities can arrange taping sessions by contacting Penn Woods at Oklahoma Christian College.

Mr. Merle Woods reminded the Board that Mrs. Bowman will be inducted in the Oklahoma Hall of Fame at the annual dinner on November 16, 1970.

It being determined that no further business was to come before the meeting, adjournment was made at 12:15 p.m.

ELMER L. FRAKER,
Administrative Secretary

H. MILT PHILLIPS,
Vice President

GIFT LIST FOR THIRD QUARTER, 1970

LIBRARY:

Rural Arkansas, June 1970—containing article on "Golda's Grist Mill" at Bitting Springs, Oklahoma.

Donor: Mrs. Joseph (Hilda) Lawber, Oklahoma City.

Old Sturbridge Village 1969-1970.

Donor: Alexander J. Wall, Pres. of Old Sturbridge Village, Mass.

Oklahoma Living Legends and Library at Oklahoma Christian College, 1970 booklets.

The Will Rogers Papers at Oklahoma State University, Stillwater.

Names—Journal of the American Name Society, Vol. 18, No. 2, June 1970.

The Hospital in a Changing Society, 1969.

Central Oklahoma, 1970—Annual Report of the Association of Central Oklahoma Governments.

The National Assembly for Social Policy and Development, Inc., 1969.

Historic Preservation, Vol. 22, No. 2, April-June, 1970.

S. A. M. Advanced Management Journal, Vol. 35, No. 3, July 1970.

Indiana Magazine of History, Vol. LXVI, No. 2, June 1970.

The Oklahoma Daily, Vol. 56, No. 194, Norman, Saturday Aug. 1, 1970.

Donor: George H. Shirk, Oklahoma City.

Official Proceedings of the 9th Annual Communication of the Grand Lodge of Indian Territory and the 77th Annual Communication of the Grand Lodge of Oklahoma Territory and the 62nd Annual Communication of Grand Lodge of the State of Oklahoma—Ancient Free and Accepted Masons, February 1970.

Donor: Order of Ancient Free and Accepted Masons of Oklahoma.

Some Colonial and Revolutionary Families of North Carolina, Vol. II by Marilu Burch Smallwood, 1969.

Donor: Author of Florida and North Carolina.

The Oklahoma City Magazine, Vol. 1, No. 10, Aug. 1967-1968.

Arizona Highways, Feb.-March, 1962.

Tulsa—Oil Capitol of the World.

Tulsarama! Historical Souvenir Program of Semi-Centennial Year, 1957.

Tulsa, Indian Territory-Oklahoma; Semi-Centennial Celebration Booklet, April 22nd to November 16th, 1957.

Progressive Oklahoma, Semi-Centennial, 1907-1957.

2500 Buddha Jayanti Souvenir—The Buddhist Council of Ceylon, Colombo.

Papers in Anthropology, Fall 1960, Vol. 2, No. 1.

Enid Writers Club Anthology, 1958.

On The Hog Train Through Kansas by Harry L. Newton, 1906.

On A Fast Train Through Texas by Irv. Ott, 1905.

Claverack, (New York) Old and New, 1892 by S. P. Dubois.

Membership Roll and Parish Plan of the First Presbyterian Church, Tulsa, Okla.

Oklahoma Agricultural and Mechanical College Catalog, 1910-1911, Stillwater, Oklahoma.

Proceedings of the Forty-Fifth Annual Encampment of the Department of California and Nevada of the Grand Army of the Republic, April 1912.

Report of Proceeding of 15th Annual Reunion of Eighth Indiana Veteran Cavalry 39th Regiment Indiana Volunteers, September 1898.

Fort MacLeod (Alberta, Canada)—The Story of the Northwest Mounted Police, 1874-1954.

Roses by Roy E. Shepherd.

Seventy-Five Years Reminiscence, 1879-1954, Fredericksburg Evangelical Lutheran Church, Minden, Nebraska.

Hartsville, Indiana.

Hartsville College 1850-1897, Hartsville, Indiana.

Accent—A Quarterly of New Literature, Autumn, 1943.

Song Book—Associated Harvard Clubs, Dec. 13, 1902, Cincinnati (Ohio).

Clay County (Missouri) Bar 1890-1940 by Martin E. Lawson, April 15, 1953.

A. Florence Wilson—Friend and Teacher by Lola Garrett Bowers and Kathleen Garrett, May 1951.

Sidney Lanier by Thomas Edwin Spencer, 1930.

The Student Annual, 1910—Senior Class of the Oklahoma City High School (later became Central High School).

Alaska Sportsman—Statehood Souvenir Edition, Vol. 25, No. 6, June 1959.

Fishing Tackle Digest, 1st Annual Edition, 1946.

Centennial Roaring Stoney Days—Ely (Minn.) 70th Birthday 1888-1958.

*—'Three Score and Ten'—*by Hugo A. Anderson, May 20, 1957, Roswell, New Mexico.

Visions—For Boys and Girls of Illinois Miners, 1928.

San Jose, Queen of the Missions by Rev. John Ilg and H. L. Summervill, 1938.

The Harbinger—Kansas Centennial, 1861-1961, Vol. XII, No. 2, 1961.

According to Mama by Laura David Anderson and Audry Loftus, St. Matthews Episcopal Guild, Fairbanks, Alaska, 1956.

Madison (Wis.)—The Four Lake City, Sketches by Paul E. Corrubia.

Donor: Edgar Clemons, 1728 N. W. 32nd, Okla. City by Guy Fuller of Oklahoma City.

The Cunyus-Conyers Family by Walter H. Cunyus.

Donor: Jack Morgan, 403 Allen St., Thornaston, Ga.

The Formation of the Union, 1970.

Charts of Freedom, 1970.

Donor: James B. Rhodes, Archivist of U. S. Gen. Services Admin., Wash.

The Poems of Alfred Lord Tennyson, A. L. Burt Publishers.

Young Americans Abroad by Edward Everett Hale and Susan Hale, 1898.

Encyclopedia Britannica, 9th edition; Vols. 10, 11, 12, 13, 14, 16, & 17 only.

The Southworth-Stone Arithmetic, Book I, Benj. H. Sanborn & Co.

Watson's Complete Speller—Oral and Written, Am. Book Co.

Complete Arithmetic by George Wentworth and David E. Smith, 1909.

New Fifth Reader.

McGuffeys' Eclectic Spelling Book, 1879.

White's New-Complete Arithmetic, Van Antwerp, Bragg & Co.

Progressive Course in Spelling by J. N. Hunt, 1910.

Graded Literature Readers Third Book, 1900.

McGuffeys' Fifth Eclectic Reader, 1879.

Business Arithmetic by Lorenzo Fairbanks, 1875.

Life of Christopher Columbus by Franc B. Wilkie.

Religious Denominations of the World by Vincent L. Milner, 1871.

Wandering in Northern China by Harry A. Franck, 1923.

The Poetical Works of Lord Byron—complete in one volume, 1873.

The History of England by David Hume, Esq., Vols. I-VI, 1868.

The History of the Decline and Fall of the Roman Empire by Edward Gibbon, Esq., Vol. I, only.

A Summary of Universal History by M. Anquetil, 1807, Vols. I, II, III, V, VI, VII, VIII, and IX.

Donor: The Wisby Family, Tulsa, Oklahoma.

Thesis: *H. P. Wettengel Biography* by Sula Saltsman Goodman, May 16, 1969. Submitted to Dr. John R. Whitaker, History of Journalism, 311, Univ. of Oklahoma. 2 copies.

Donor: Jack Wettengel, Oklahoma City.

Collection of newspapers regarding World War I; also President John Fitzgerald Kennedy campaign, inaugural, administration and assassination on Nov. 22, 1963 in Dallas, Texas.

Donor: The F. R. Culvers, 3604 N. W. 18th, Oklahoma City.

My First Seventy-Five Years by Thomas (Tom) Pexton, 1967.

Donor: Author, Choctaw, Oklahoma.

"A Tribute to Justice Monroe Osborn" by W. R. (Bob) Wallace from *The Daily Ardmoreite* for Monday, June 30, 1947.

Donor: Creekmore Wallace, Pryor, Oklahoma.

Jim Thorpe, Carlisle Indian by Wilbur J. Gobrecht, 1969.

Donor: The Hamilton Library and Historical Assoc. of Cumberland County, Carlisle, Pa. and Henry B. Bass of Enid, Oklahoma.

Calendar of Annual Events in Oklahoma—American Guide Series of Federal Writers' Project of Oklahoma, 1938.

Donor: Charles Banks Wilson, of Miami, Oklahoma.

Collection of W. C. Allison, McAlester, Indian Territory, 1910 Business Correspondence only.

Donor: George Gentry, McAlester, Oklahoma.

Indian Notes and Monographs—"Paper Figures And Folk Medicine Among The San Pablito Otomi" by Wm. Lannik, Raymond L. Palm and Marsha P. Tatkon, 1969 of Miscellaneous Series No. 57.

Donor: Museum of the American Indian, Heye Foundation, New York.

Microfilm: Soundex to 1880, Texas Population Census, Microcopy No. T-773, Roll No. 25 (G-250 to G-456).

1860 Arkansas Census—Washington, White and Yell Counties; Indian Lands. Roll No. 52, Microcopy 653.

Donor: Mrs. Adelia Stewart Sallee, Norman, Oklahoma.

"Revitalization Movements Among The Kiowa and Kiowa-Apache" by Timothy Gene Baugh, 1970 from Papers in Anthropology, Vol. 11, Spring 1970. Xeroxed copy.

Donor: The Timothy Baughs, Norman, Oklahoma.

Seis News for Sept.-Oct., 1970.

Donor: Seismograph Service Corp., Box 1590, Tulsa, Oklahoma.

Tepees To Towers by Walter Nashert, 1970.

Donor: Author of Oklahoma City.

Duties and Responsibilities of Peace Officers for Oklahoma Colleges and Universities, 1970, compiled by E. Moses Frye, Legal Counsel for the Bd. of Regents for Oklahoma Agricultural and Mechanical College, Stillwater, Oklahoma.

Donor: Legal Department, Oklahoma State Colleges.

The Family and Descendants of Mary R. (Mollie) Walker and William Carter Lee, by Frances Lee Klos, 1970.

Donor: Author of Stillwater, Oklahoma.

Oklahoma Brand Book, 1970.

Donor: Brand Division of Oklahoma Cattlemen's Assoc., Oklahoma City.

Travel Accounts of Indiana, 1679-1961, compiled by Shirley S. McCord, 1970.

Donor: Oklahoma Department of Libraries, Oklahoma City.

Map: Cushing Oil Field, 1917—United States Geological Survey, Bulletin 658, Plate IV.

Donor: Peter A. Evans, Librarian, California Historical Society, San Francisco.

Proceedings of the Massachusetts Historical Society, 1979, Vol. LXXXI.

Donor: Massachusetts Historical Society, Boston, Mass.

Early Texas Birth Records 1838-1878 by Gracy, Sumner and Gentry, 1969.

Some Family Origins by Richard Porter Adair, 1970.

Thurber (Texas) Historical Association.

Additional Bacon Genealogical information by Eden J. Young, Hugoton, Kansas.

Washington National Guard Pamphlet—The Official History of the Washington National Guard:

Vol. 1 Heritage of the Washington Territorial Militia.

Vol. 2 Washington Territorial Militia in Indian Wars of 1855-56.

Vol. 3 Washington Territorial Militia in the Civil War.

Vol. 4 Washington National Guard in the Philippine Insurrection.

Vol. 5 Washington National Guard in World War I.

Vol. 6 Washington National Guard in World War II.

Ireland of the Welcomes, Vol. 18, Nos. 1-6, 1969-70.

The Colorado Genealogist, Surname Index, Vol. 30, 1969.

Ancestral Surnames, 1969, Kansas Genealogical Society.

Ash Tree Echo, Vol. 4, Index 1969.

Wisconsin Helper, Vol. 3, Nos. 1-4, 1969-70.

Genealogical Periodical Annual Index, Vol. 7, 1968.

Chicago Genealogist, Vol. 2, No. 2, Dec. 1969.

Wisconsin State Genealogical Society Newsletter, Vol. 16, Nos. 1-4, 1969-70.

The Descender, Vol. 2, No. 3, Aug. 1969; Vol. 2, No. 4, Dec. 1969.

Stewart Clan Magazine, Vol. 47, Nos. 1-12, 1969-70.

The Scottish Genealogist, Vol. 15, No. 4, Dec. 1968; Vol. 16, Nos. 1-4, 1969.

- Bulletin of the Stamford (Conn.) Genealogical Society*, Vol. 11, No. 4, May 1969.
- Santa Clara County Historical and Genealogical Society*, Vol. 6, Nos. 1-4, 1969-70.
- Valley Quarterly of San Bernardino (Calif.) Genealogical Society*, Vol. 6, Nos. 1, 2&3, and 4, 1969.
- Stirpes*, Texas State Genealogical Society Quarterly, Vol. 9, Nos. 1-4, 1969.
- Your Texas Ancestors* by Damon Veach.
- Coos—Coos Bay (Oregon) Genealogical Forum*, Vol. 5, Nos. 3 & 4 combined, 1969.
- Saints or Horse Thieves?* by Damon A. Veach, Vol. 1, 1967; no Vol. 2; Vol. 3, Nos. 1-4, 1969.
- The Family Tree of Waco, Texas*, Vol. 12, Nos. 1-4, 1969.
- Genealogical Tips*, Vol. 7, Nos. 1-4, 1969.
- The Echoer*, Vol. 2, No. 1, Aug. 1968; Vol. 3, Nos. 2-12, 1969.
- Cenotaph—To Our Ancestors*, Vol. 4, No. 1, 1968; Vol. 5, Nos. 2, 3, 4, 1969.
- Bulletin—Oregon Genealogical Society*, Vol. 8, Nos. 1-8, 1969-70.
- The Tallow Light*, Vol. 4, Nos. 1, 2 & 3 combined, 4, 1969-1970.
- Bulletin of Southern Arizona Genealogical Society*, Vol. 5, Nos. 1-4, 1969-70.
- Redwood Researcher*, Vol. 2, Nos. 1-4, 1969-1970.
- "They Were Here"—Genealogical Records in Georgia*, Vol. 5, Nos. 1 & 2, 3 & 4, 1969-70.
- Bulletin of Maryland Genealogical Society*, Vol. 10, Nos. 1-4, 1969-70.
- Illinois State Genealogical Society Quarterly*, Vol. 1, Nos. 1-4, 1969.
- The East Kentuckian*, Vol. 4, No. 4, March 1969; Vol. 5, Nos. 1-4, 1969-70.
- History of the Colorado National Guard.
- The Searcher (South California)*, Vol. 6, Nos. 1-4, 1969.
- The Kansas City Genealogist*, Vol. 10, Nos. 1-4, 1969-70.
- Rogue Valley Genealogical Society*, Vol. 4, Nos. 1-4, 1969.
- The Army in Hawaii*, United States Army, 1961.
- A Military History of Nebraska*, 1939.
- Cuff Stuff*, June 1966.
- Flint (Michigan) Genealogical Quarterly*, Vol. 1, Nos. 1-4, 1959; Vol. 2, Nos. 1-4, 1960.
- Vermont History*, Vol. 32, No. 3, July 1964.
- American and British Genealogy and Heraldry*, 1970, compiled by P. Wm. Filby, American Library Association.
- The Kiowa (Kansas) County Historical Society Membership Roster.
- Report*, Genealogical-Historical of Ohio Genealogical Society, Vol. 2, No. 3, July 1962; Vol. 3, No. 6, 1963; Vol. 3, No. 5, 1963; Vol. 2, No. 5, 1962; Vol. 3, No. 3, 1963.
- The Sunday Ledger-Enquirer*, Dec. 31, 1967; Dec. 24, 1967.
- The Surnames of Scotland* by George H. Black, 1946.
- Deep-South Genealogical Quarterly*, Vol. 7, Nos. 1-4, 1969-70.
- The Ontario Register*, Vol. 2, Nos. 1-4, 1969.
- Louisiana Soldiers in the War of 1812*, Louisiana Genealogical and Historical Society.
- Tennesseans in the Civil War*, published by Civil War Centennial Commission, 1964, parts 1 and 2.
- Revolutionary Soldiers Buried in Missouri*, 1966 by Mrs. Hale Houts.
- Index to Tennessee Confederate Pension Applications.*
- The Census of the Territory of Kansas, February 1855.*
- 1830 Census of East Tennessee*, Byron Sistler, 1969.
- Donor: Oklahoma Genealogical Society, Oklahoma City.

PHOTOGRAPHS DIVISION

Polaroid of Mrs. Elbert Costner, Miss Muriel H. Wright and Miss Martin Woods at Tuskahoma Council House, May 6, 1970.

Small shot of George H. Shirk, Fisher Muldrow and Elmer Fraker at Tishomingo, July 1970.

Donor: George H. Shirk, Oklahoma City.

Construction of Surge Tank, Denison Dam on Red River, near Colbert, Calera and Durant in Bryan County, Oklahoma.

Five photographs of Denison Dam Area, taken Feb. 1948 and Jan. 1949.

Donor: Oklahoma Industrial Development and Park Dept., Will Rogers Memorial Bldg., Oklahoma City.

Convention of Anti-Horsethief Association of Oklahoma Territory, date unknown. Photograph of Chandler Revival in Oklahoma Territory, date unknown. Photo of unknown group in old cars and wagons, 1900-1920.

Donor: Edgar Clemons, Oklahoma City.

Early Tulsa Construction and Street Paving, Sept. 1908 with Jay Stevenson as foreman.

Donor: Mrs. M. K. Read Lima of Oklahoma City.

Cherokee Advocate Newspaper Office at Tahlequah, Indian Territory, not dated.

Donor: Dr. Ed Culbertson, Bloomington, Indiana.

Ten 8" by 10" glossy photographs of Four Alarm Fire, 6000 North Pennsylvania, Oklahoma City, May 7, 1970.

Donor: Fred Huston, Oklahoma City.

Three panoramic views of Muskogee, Oklahoma, undated.

Donor: Mrs. Anne McDonnell, Librarian, Kentucky Historical Society at Frankfort, Kentucky.

INDIAN ARCHIVES DIVISION

Booklet: "The Intertribal Council of the Five Civilized Tribes"

Minutes special meeting Executive Committee Cherokee Nation Apr. 18, 1970.

Donor: Cherokee Nation of Oklahoma, Tahlequah, Okla.

Original letter of Mar. 16, 1907 from Five Civilized Tribes Commission, Muskogee, I. T. to Whitetobacco Sam, re enrollment of his son, Eli Sam.

Donor: Arville Williams, Midwest City, Okla.

The West, Oct 1970.

Donor: Wayne T. Walker, Joplin, Mo.

Photographic copy of Civil War Discharge of Chief Sapulpa, with transcription of same.

Donor: Sapulpa Historical Society, Sapulpa, Okla.

Henry B. Bass *Newsletter*, July 15, and Aug. 15, 1970.

O I O News Letter, July and August 1970.

The Amerindian, May-June 1970

Donor: N. B. Johnson, Oklahoma City, Okla.

Otoe-Missouria Business Council Annual Status Report, June 20, 1970

"Chapman Recalls Long Battle of Otoe for land Payment," in *The Ponca City News*, July 24, 1970

Donor: Berlin B. Chapman, Orlando, Florida.

Texas Libraries, Summer 1970

Donor: Texas State Library, Austin, Texas.

Seis News, Sept-October 1970.

Donor: Seismograph Service Corporation, Tulsa, Okla.

Aleut Tribe v. U. S., Docket Nos. 352, 369: Opinion on motion to strike amended petitions; Order denying motions to strike amended petitions.

- Mescalero Apache Tribe v. U. S., Docket No. 22G: Opinion; Order.
- Apache Tribes v. U. S., Docket Nos. 30A and 48A: Order denying defendants motion for rehearing, etc.
- Confederate tribes of Colville reservations as representatives of Joseph Band of Nez Perce Indians v. U. S., Docket No. 179; Findings of Fact on Award of attorneys fees; order allowing attorney's fees.
- Affiliated Tribes of Fort Berthold Reservation v. U. S., Docket No. 350D: Opinion; Order denying motion for summary judgment, etc.
- Chippewa Indians, et al v. U. S., Docket Nos. 113, 246, 191, 221, 350 B&C Opinion; Findings of Fact; Order; Order allowing attorney fees.
- Hopi Tribe v. U. S., Docket No. 196, and Navajo Tribe v U. S., Docket No. 229: Opinion on Title; Findings of Fact; Interlocutory Order.
- Kickapoo Indians of Kansas and Oklahoma v. U. S., Docket No. 316A: Opinion; Findings of Fact; Interlocutory Order.
- Mohave Tribe v. U. S., Docket No. 295A: Opinion; Findings of Fact; Interlocutory Order.
- Navajo Tribe v. U. S., Docket No. 229: Opinion; Findings of Fact; Interlocutory Order.
- Peoria Tribe of Okla. on behalf of Piankeshaw Nation v. U. S., Docket No. 99: Order allowing attorney fees and reimbursable expenses.
- Peoria Tribe of Okla., on behalf of Wea Nation, Docket No. 314C: Order allowing attorney fees and reimbursable expenses.
- Pueblo de Acoma v. U. S., Docket No. 266: Additional Findings of Fact; Final Judgment.
- Shoshone-Bannock Tribes v. U. S., Docket Nos. 326D, E, F, G, H, 366, 367: Order allowing attorneys reimbursable expenses.
- Sioux Nation, Chippewa Cree tribe, 3 affiliated tribes of Fort Berthold Reservation v. U. S., Docket Nos. 74, 221A, 350B & C: Opinion; Findings of Fact; Interlocutory Order.
- Sioux Tribe v. U. S., Docket No. 74: Opinion; Interlocutory Order.
- Six Nations v. U. S., Docket No. 84, and Stockbridge Indians v U. S., Docket No. 300B: Opinion; Findings of Fact; Interlocutory Order.
- Confederated Tribes of Warm Springs, Oregon v. U. S., Docket No. 198a: Order Dismissing Petition.
- Donor: Indian Claims Commission, Washington, D. C.

MUSEUM:

- Moccasins, knife sheath, formerly owned by donor's father.
Donor: Mrs. Lee O. Brown, Fresno, California.
- Certificate of Marriage, dated October 7, 1748, Beaufort County, North Carolina.
Donor: Mrs. K. D. Sutherlin, Oklahoma City, Oklahoma.
- Commemorative medals for Kentucky and Massachusetts.
Donor: Capitol Medal Company, High Point, North Carolina
- Mourning coat worn by donors' grandfather to funeral of President Abraham Lincoln; handkerchief found in pocket.
Donors: Lee B. Thompson and Dr. Wayman J. Thompson, Oklahoma City, Oklahoma.
- Handkerchief, framed, printed political advertisement, "Chickasha, 10,000 Strong for Single Statehood, July 12, 1905."
Donor: Mrs. George M. Wilson, Bethany, Oklahoma.
(In Memory of Mr. and Mrs. Lester Howard Brown)
- Indian items, including skin, ornamental bone, belt, beadwork, moccasins, leg gings, beaded bag, doll, and rug.
Donor: Mrs. Francis R. Welsh, Oklahoma City, Oklahoma.

Cherry pitter; wall clock.

Donor: Dr. LeRoy Fischer, Stillwater, Oklahoma.

Thread spools; tobacco pouch; glasses neck band.

Donors: Mr. and Mrs. Robert F. Jones, Oklahoma City, Oklahoma.

(Oil Museum)

Photograph of Garber Covington Oil Field, June 12, 1926.

Donor: Mr. Pat Arrington, Oklahoma City, Oklahoma.

(Governor's House Exhibit)

Cup and saucer which belonged to Governor and Mrs. J. B. A. Robertson, uncle and aunt of donor.

Donor: Mrs. Scott W. Fisher, Oklahoma City, Oklahoma.

(Sod House Museum)

Three wooden handled table forks.

Donor: Mr. Marvin Barnum, Creve Coeur, Missouri.

Farm tools and implements, including "colt weaner," strand of horse wire, wrenches.

Donor: Mr. Russell W. Shaw, Collinsville, Oklahoma.

Items of donor's family, including framed photograph, two tintypes, table napkin, spoon holder, box camera, and pamphlet.

Donor: Mrs. M. Esther Wymer, Fairview, Oklahoma.

(Oklahoma Territorial Museum)

Threshing machine, early 20th century.

Donor: Louis Martin, Edmond, Oklahoma.

(Peter Conser Home Museum)

Carved oak bedstead, matching oak dresser.

Seller: Mrs. Helen Stout, Spiro, Oklahoma.

Standard bed spring.

Donor: Mrs. Jewel Costner, Poteau, Oklahoma.

Oak bedstead; matching dresser; lamp; dishes; vases; wash board; sad irons.

Seller: Mrs. Ruth Dailey, DeQueen, Arkansas.

Star-design quilt top.

Donor: Mrs. Ruth Dailey, DeQueen, Arkansas.

Maple sugar keg.

Donor: Mr. and Mrs. Carman Bethel, Heavener, Oklahoma.

(Chickasaw Council House)

Gun, believed to be cap and ball musket, found in Washita River south of Tishomingo in late 1920's. (In memory of Mr. and Mrs. George A. VanNoy)

Donor: J. R. Hutchens, Jr., Tishomingo, Oklahoma.

Framed picture of Chickasaw Governor Robert M. Harris.

Donor: Mrs. Hallie Harris Short, Del City, Oklahoma.

Rocking chair which belonged to family of Mr. and Mrs. Thomas B. Thompson, Sr., used in their homes at Emet, I. T., and Tishomingo.

Donor: Te Ata, for the T. B. Thompson family, Oklahoma City, Oklahoma.

Doll which belonged to Juanita Johnston Smith, late 19th century.

Donor: Mrs. M. G. Myers, for Shannon Stuart Myers, a minor child, Cincinnati, Ohio.

Items from Harley Institute, Chickasaw School for Boys, including school bell; hand bell; decorative scarves; book; pamphlet; number of photographs.

Donor: Mrs. Lucy Short, Davis, Oklahoma.

Coat, worn by Nick Mickle, U. S. Marshall at Tishomingo, I. T.; woman's

side saddle, ridden over Trail of Tears by a Chickasaw woman; crockery jug brought over Trail of Tears; small metal tray; photographs of early Tishomingo.

Donor: Mrs. L. H. Mickle, Tishomingo, Oklahoma.

Chickasaw Nation items, including doctor's bag; pharmaceutical bag; wine bottle; tools; and horseshoe; other items including maps, photographs, books.

Donor: Mrs. Blanche Clark, Tishomingo, Oklahoma.

Murray family items, including typewritten copy of funeral sermon for Governor William H. "Bill" Murray; photographs; pamphlets; obituary and photograph of Judge Linebaugh.

Donors: Mr. and Mrs. Clive E. Murray, Tishomingo, Oklahoma.

Arrow points, mounted on velvet; photographs; business card.

Donor: Miss Aylea Bevan, Connerville, Oklahoma.

Heavily rusted flat iron, desk leg, horse shoe, muleshoe; cross section of cedar tree, all from grounds of old Harley Institute.

Donor: Mrs. Charles Wyatt, Tishomingo, Oklahoma.

Oil painting of Governor Cyrus Harris, first governor of the Chickasaw Nation, painted by donor, great-granddaughter of Cyrus Harris.

Donor: Mrs. Ruby White Riepe, Wynnewood, Oklahoma.

Hair pins; music book; funeral notice; photographs.

Donor: Don Raper, Tishomingo, Oklahoma.

Panorama Photograph of City of Tishomingo, early 20th century.

Donor: Mrs. Lois Keltner, Tishomingo, Oklahoma.

Bookcase, early 19th century, believed to have been built by Cyrus Harris and used in the Governor's home at Mill Creek.

Donors: The family of Harry Harvel White, deceased, Wynnewood, Oklahoma.

Shards of glass, bricks, pieces of brick, granite and limestone, found on grounds of old Harley Institute.

Donor: Tom Lokey, Tishomingo, Oklahoma.

Wooden bread bowl brought on migration from Mississippi to Indian Territory.

Donor: Mrs. Helen Ames, Tishomingo, Oklahoma.

Indian Territory legal documents.

Donor: Mrs. Ruth Stamps, Tishomingo, Oklahoma.

One issue of *The Collinian*, school paper of Collins Institute.

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COVER: The print in color on the front cover shows the United States Dragoons, organized in 1834 as a new military branch of the army. For a history of the Dragoons see this issue of *The Chronicles*, "Dragoon Life in the Indian Territory, 1836-1846," by Carl L. Davis and LeRoy H. Fischer. In this color print, the mounted trooper is in campaign uniform and holds a Hall breech-loading carbine. The dismounted trooper is in full dress. (Credit is due the Company of Military Historians for the use of this print.)

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COVER: The wild flower of the *Clitoria*, or Butterfly Pea, is here shown from the original painting by H. B. Mollhausen, the noted German Artist, done in the summer of 1853 near the Choctaw Agency (in LeFlore County) while with Lieut. A. W. Whipple's Pacific Railroad Survey. The low vine of the *Clitoria* with its light blue to purplish blue flowers is in open wooded areas in southeastern Oklahoma though it is disappearing in many places from cultivation and over grazing of the land. The original painting is in the Whipple Collection in the Oklahoma Historical Society Library.

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COVER: Wyandotte Mission, photographed in 1876, was established after the Civil War by the Quakers. It became a well-known school in the Quapaw Agency region of northeastern Indian Territory. The Mission was known as the Seneca Indian Boarding School near the post office of Wyandotte, Oklahoma, where several commodious buildings still mark the site.

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COVER: The print, "Wild Turkey," on the front cover reprinted from *Canadian River Hunt* by Gen. Wm. E. Strong (Oklahoma University Press, Norman, 1960) by permission from the University Press. The original drawing appeared in Gen. Strong's manuscript (1878) published with the introduction by Fred P. Schonwald, 1960.



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